

U.S. Department of Housing and Urban Development
Office of Public and Indian Housing

PHA Plans

5 Year Plan for Fiscal Years 2000 - 2004
Annual Plan for Fiscal Year 2000

**NOTE: THIS PHA PLANS TEMPLATE (HUD 50075) IS TO BE COMPLETED IN ACCORDANCE WITH
INSTRUCTIONS LOCATED IN APPLICABLE PIH NOTICES**

**PHA Plan
Agency Identification**

PHA Name: The Housing Authority of the City of Canton, Mississippi

PHA Number: MS061

PHA Fiscal Year Beginning: (mm/yyyy) 07/2000

Public Access to Information

Information regarding any activities outlined in this plan can be obtained by contacting: (select all that apply)

- ☒ Main administrative office of the PHA
- ☐ PHA development management offices
- ☐ PHA local offices

Display Locations For PHA Plans and Supporting Documents

The PHA Plans (including attachments) are available for public inspection at: (select all that apply)

- ☒ Main administrative office of the PHA
- ☐ PHA development management offices
- ☐ PHA local offices
- ☐ Main administrative office of the local government
- ☐ Main administrative office of the County government
- ☐ Main administrative office of the State government
- ☐ Public library
- ☐ PHA website
- ☐ Other (list below)

PHA Plan Supporting Documents are available for inspection at: (select all that apply)

- ☒ Main business office of the PHA
- ☐ PHA development management offices
- ☐ Other (list below)

5-YEAR PLAN
PHA FISCAL YEARS 2000 - 2004
[24 CFR Part 903.5]

A. Mission

State the PHA's mission for serving the needs of low-income, very low income, and extremely low-income families in the PHA's jurisdiction. (select one of the choices below)

☒ The mission of the PHA is the same as that of the Department of Housing and Urban Development: To promote adequate and affordable housing, economic opportunity and a suitable living environment free from discrimination.

_____ The PHA's mission is: (state mission here)

B. Goals

The goals and objectives listed below are derived from HUD's strategic Goals and Objectives and those emphasized in recent legislation. PHAs may select any of these goals and objectives as their own or identify other goals and/or objectives. Whether selecting the HUD-suggested objectives or their own, PHAS ARE STRONGLY ENCOURAGED TO IDENTIFY QUANTIFIABLE MEASURES OF SUCCESS IN REACHING THEIR GOALS AND OBJECTIVES BY THE END OF THE 5 YEARS. (Quantifiable measures would include objectives such as: numbers of families served or PHAS scores achieved.) PHAs should

- _____ Apply for additional rental vouchers:
- _____ Reduce public housing vacancies:
- _____ Leverage private or other public funds to create additional housing opportunities:
- _____ Acquire or build units or developments
- _____ Other (list below)
- X PHA Goal: Improve the quality of assisted housing
- Objectives:
- ☒ Improve public housing management: (PHAS score)
- _____ Improve voucher management: (SEMAP score)
- _____ Increase customer satisfaction:
- _____ Concentrate on efforts to improve specific management functions: (list; e.g., public housing finance; voucher unit inspections)
- ☒ Renovate or modernize public housing units:
- _____ Demolish or dispose of obsolete public housing:
- _____ Provide replacement public housing:
- _____ Provide replacement vouchers:
- _____ Other: (list below)

____ PHA Goal: Increase assisted housing choices

Objectives:

- ____ Provide voucher mobility counseling:
- ____ Conduct outreach efforts to potential voucher landlords
- ____ Increase voucher payment standards
- ____ Implement voucher homeownership program:
- ____ Implement public housing or other homeownership programs:
- ____ Implement public housing site-based waiting lists:
- ____ Convert public housing to vouchers:
- ____ Other: (list below)

HUD Strategic Goal: Improve community quality of life and economic vitality

X PHA Goal: Provide an improved living environment

Objectives:

- ____ Implement measures to deconcentrate poverty by bringing higher income public housing households into lower income developments:
- ____ Implement measures to promote income mixing in public housing by assuring access for lower income families into higher income developments:
- X Implement public housing security improvements:
- ____ Designate developments or buildings for particular resident groups (elderly, persons with disabilities)
- ____ Other: (list below)

HUD Strategic Goal: Promote self-sufficiency and asset development of families and individuals

X PHA Goal: Promote self-sufficiency and asset development of assisted households

Objectives:

- X ____ Increase the number and percentage of employed persons in assisted families:
- ____ Provide or attract supportive services to improve assistance recipients' employability:
- ____ Provide or attract supportive services to increase independence for the elderly or families with disabilities.
- ____ Other: (list below)

HUD Strategic Goal: Ensure Equal Opportunity in Housing for all Americans

☒ PHA Goal: Ensure equal opportunity and affirmatively further fair housing

Objectives:

- ☒ Undertake affirmative measures to ensure access to assisted housing regardless of race, color, religion national origin, sex, familial status, and disability:
- ☒ Undertake affirmative measures to provide a suitable living environment for families living in assisted housing, regardless of race, color, religion national origin, sex, familial status, and disability:
- ☐ Undertake affirmative measures to ensure accessible housing to persons with all varieties of disabilities regardless of unit size required:
- ☐ Other: (list below)

Other PHA Goals and Objectives: (list below)

**Annual PHA Plan
PHA Fiscal Year 2000**

[24 CFR Part 903.7]

Annual Plan Type:

Select which type of Annual Plan the PHA will submit.

☐ **Standard Plan**

Streamlined Plan:

- ☒ **High Performing PHA**
- ☐ **Small Agency (<250 Public Housing Units)**
- ☐ **Administering Section 8 Only**
- ☐ **Troubled Agency Plan**

Executive Summary of the Annual PHA Plan

[24 CFR Part 903.7 9 (r)]

Provide a brief overview of the information in the Annual Plan, including highlights of major initiatives and discretionary policies the PHA has included in the Annual Plan.

The Canton Housing Authority takes pride in the administration of public housing units, and attempts to meet or exceed the mission of The Department of Housing and Urban Development in providing decent, safe, and sanitary housing in good repair.

In concert with community agencies, The Canton Housing Authority does encourage families to seek employment, further their educational development, and become self-sufficient. Such policies are established in accordance with Federal Regulations to provide a family with the maximum benefit from public assistance. This funding is received through the Department of Housing and Urban Development under the public housing guidelines which are set through Congressional approval.

In order to create a safe environment for the residents, the Canton Housing Authority

currently participates with local law enforcement to determine criminal history records. In addition, a private security company continues patrol at the Joe Prichard Homes complex to build community relations and provide onsite assistance for the welfare of the families served.

The Canton Housing Authority continuously reviews it's policies and compliance to increase the sanitary conditions of the housing stock under control. A hard-working maintenance staff is dedicated to the continued sanitary condition of each unit and the complex as a whole.

In an effort to satisfy the need to maintain housing in good repair, the Canton Housing Authority seeks to target factors identified by PHA staff, HUD, or REAC and determine a course of action to make repairs which will benefit the community, the Authority and the residents.

We are pleased to provide quality housing assistance with our fiscal year 2000 federally subsidized budget of \$436,000.00, and will make every effort to better our community by providing decent, safe and sanitary housing, which remains in good repair.

Sincerely,

*Sandi Nichols, PHM
Executive Director*

Annual Plan Table of Contents

[24 CFR Part 903.7 9 (r)]

Provide a table of contents for the Annual Plan, including attachments, and a list of supporting documents available for public inspection.

Table of Contents	<u>Page #</u>
Annual Plan	
Executive Summary	2

i. Table of Contents		3
Housing Needs		7
1. Financial Resources		11
2. Policies on Eligibility, Selection and Admissions	12	
3. Rent Determination Policies		20
4. Operations and Management Policies	23	
5. Grievance Procedures	24	
6. Capital Improvement Needs		25
7. Demolition and Disposition		26
8. Designation of Housing	27	
9. Conversions of Public Housing	28	
10. Homeownership		29
11. Community Service Programs	31	
12. Crime and Safety		33
13. Pets (Inactive for January 1 PHAs)		34
14. Civil Rights Certifications (included with PHA Plan Certifications)	34	
15. Audit		34
16. Asset Management		35
17. Other Information		35
18. Attachments		38

Attachments

Indicate which attachments are provided by selecting all that apply. Provide the attachment's name (A, B, etc.) in the space to the left of the name of the attachment. Note: If the attachment is provided as a **SEPARATE** file submission from the PHA Plans file, provide the file name in parentheses in the space to the right of the title.

☒ Admissions Policy for Deconcentration

☒ FY 2000 Capital Fund Program Annual Statement

☐ Most recent board-approved operating budget (Required Attachment for PHAs that are troubled or at risk of being designated troubled ONLY)

Optional Attachments:

☐ PHA Management Organizational Chart

☐ FY 2000 Capital Fund Program 5 Year Action Plan

☐ Public Housing Drug Elimination Program (PHDEP) Plan

☐ Comments of Resident Advisory Board or Boards (must be attached if not included in PHA Plan text)

☐ Other (List below, providing each attachment name)

Supporting Documents Available for Review

Indicate which documents are available for public review by placing a mark in the "Applicable & On Display" column in the appropriate rows. All listed documents must be on display if applicable to the program activities conducted by the PHA.

Applicable & On Display	Supporting Document	Applicable Plan Component
X	PHA Plan Certifications of Compliance with the PHA Plans and Related Regulations	5 Year and Annual Plans
X	State/Local Government Certification of Consistency with the Consolidated Plan	5 Year and Annual Plans
X	Fair Housing Documentation: Records reflecting that the PHA has examined its programs or proposed programs, identified any impediments to fair housing choice in those programs, addressed or is addressing those impediments in a reasonable fashion in view of the resources available, and worked or is working with local jurisdictions to implement any of the jurisdictions' initiatives to affirmatively further fair housing that require the PHA's involvement.	5 Year and Annual Plans
X	Consolidated Plan for the jurisdiction/s in which the PHA is located (which includes the Analysis of Impediments to Fair Housing Choice (AI)) and any additional backup data to support statement of housing needs in the jurisdiction	Annual Plan: Housing Needs
X	Most recent board-approved operating budget for the public housing program	Annual Plan: Financial Resources;
X	Public Housing Admissions and (Continued) Occupancy	Annual Plan: Eligibility,

Applicable & On Display	Supporting Document	Applicable Plan Component
	Policy (A&O), which includes the Tenant Selection and Assignment Plan [TSAP]	Selection, and Admissions Policies
N/A	Section 8 Administrative Plan	Annual Plan: Eligibility, Selection, and Admissions Policies
X	Public Housing Deconcentration and Income Mixing Documentation: PHA board certifications of compliance with deconcentration requirements (section 16(a) of the US Housing Act of 1937, as implemented in the 2/18/99 <i>Quality Housing and Work Responsibility Act Initial Guidance; Notice</i> and any further HUD guidance) and 18. Documentation of the required deconcentration and income mixing analysis	Annual Plan: Eligibility, Selection, and Admissions Policies
X	Public housing rent determination policies, including the methodology for setting public housing flat rents check here if included in the public housing A & O Policy	Annual Plan: Rent Determination
X	Schedule of flat rents offered at each public housing development check here if included in the public housing A & O Policy	Annual Plan: Rent Determination
N/A	Section 8 rent determination (payment standard) policies check here if included in Section 8 Administrative Plan	Annual Plan: Rent Determination
X	Public housing management and maintenance policy documents, including policies for the prevention or eradication of pest infestation (including cockroach infestation)	Annual Plan: Operations and Maintenance
X	Public housing grievance procedures check here if included in the public housing A & O Policy	Annual Plan: Grievance Procedures
N/A	Section 8 informal review and hearing procedures check here if included in Section 8 Administrative Plan	Annual Plan: Grievance Procedures
X	The HUD-approved Capital Fund/Comprehensive Grant Program Annual Statement (HUD 52837) for the active grant year	Annual Plan: Capital Needs
X	Most recent CIAP Budget/Progress Report (HUD 52825) for any active CIAP grant	Annual Plan: Capital Needs
X	Most recent, approved 5 Year Action Plan for the Capital Fund/Comprehensive Grant Program, if not included as an attachment (provided at PHA option)	Annual Plan: Capital Needs
N/A	Approved HOPE VI applications or, if more recent, approved or submitted HOPE VI Revitalization Plans or any other approved proposal for development of public housing	Annual Plan: Capital Needs

Applicable & On Display	Supporting Document	Applicable Plan Component
N/A	Approved or submitted applications for demolition and/or disposition of public housing	Annual Plan: Demolition and Disposition
N/A	Approved or submitted applications for designation of public housing (Designated Housing Plans)	Annual Plan: Designation of Public Housing
N/A	Approved or submitted assessments of reasonable revitalization of public housing and approved or submitted conversion plans prepared pursuant to section 202 of the 1996 HUD Appropriations Act	Annual Plan: Conversion of Public Housing
N/A	Approved or submitted public housing homeownership programs/plans	Annual Plan: Homeownership
N/A	Policies governing any Section 8 Homeownership program check here if included in the Section 8 Administrative Plan	Annual Plan: Homeownership
X	Any cooperative agreement between the PHA and the TANF agency	Annual Plan: Community Service & Self-Sufficiency
N/A	FSS Action Plan/s for public housing and/or Section 8	Annual Plan: Community Service & Self-Sufficiency
N/A	Most recent self-sufficiency (ED/SS, TOP or ROSS or other resident services grant) grant program reports	Annual Plan: Community Service & Self-Sufficiency
N/A	The most recent Public Housing Drug Elimination Program (PHDEP) semi-annual performance report for any open grant and most recently submitted PHDEP application (PHDEP Plan)	Annual Plan: Safety and Crime Prevention
X	The most recent fiscal year audit of the PHA conducted under section 5(h)(2) of the U.S. Housing Act of 1937 (42 U.S.C. 1437c(h)), the results of that audit and the PHA's response to any findings	Annual Plan: Annual Audit
N/A	Troubled PHAs: MOA/Recovery Plan	Troubled PHAs
N/A	Other supporting documents (optional) (list individually; use as many lines as necessary)	(specify as needed)

1. Statement of Housing Needs

[24 CFR Part 903.7 9 (a)]

A. Housing Needs of Families in the Jurisdiction/s Served by the PHA

Based upon the information contained in the Consolidated Plan/s applicable to the jurisdiction, and/or other data available to the PHA, provide a statement of the housing needs in the jurisdiction by completing the following table. In the "Overall" Needs column, provide the estimated number of renter families that have housing needs. For the remaining characteristics, rate the impact of that factor on the housing needs for each family type, from 1 to 5, with 1 being "no impact" and 5 being "severe impact." Use N/A to indicate that no information is available upon which the PHA can make

Housing Needs of Families in the Jurisdiction by Family Type

Family Type	Overall	Affordability	Supply	Quality	Accessibility	Size	Location
Income <= 30% of AMI	960	5	3	2	3	2	2
Income >30% but <=50% of AMI	685	5	3	2	3	2	2
Income >50% but <80% of AMI	422	5	3	2	3	2	2
Elderly	358	5	3	2	3	2	2
Families with Disabilities	310	5	3	2	3	2	2
Race/Ethnicity White	96	5	3	2	3	2	2
Race/Ethnicity Black	201	5	3	2	3	2	2
Race/Ethnicity Am. Indian	4	5	3	2	3	2	2
Race/Ethnicity Asian	1	5	3	2	3	2	2

What sources of information did the PHA use to conduct this analysis? (Check all that apply; all materials must be made available for public inspection.)

_____ Consolidated Plan of the Jurisdiction/s

Indicate year: _____

_____ U.S. Census data: the Comprehensive Housing Affordability Strategy ("CHAS") dataset

X American Housing Survey data

Indicate year: '90

_____ Other housing market study

Indicate year: _____

_____ Other sources: (list and indicate year of information)

A. Housing Needs of Families on the Public Housing and Section 8 Tenant-Based Assistance Waiting Lists

State the housing needs of the families on the PHA's waiting list/s. **Complete one table for each type of PHA-wide waiting list administered by the PHA.** PHAs may provide separate tables for site-based or sub-jurisdictional public housing waiting lists at their option.

Housing Needs of Families on the Waiting List			
Waiting list type: (select one) <input type="checkbox"/> Section 8 tenant-based assistance <input checked="" type="checkbox"/> Public Housing <input type="checkbox"/> Combined Section 8 and Public Housing <input type="checkbox"/> Public Housing Site-Based or sub-jurisdictional waiting list (optional) If used, identify which development/subjurisdiction:			
	# of families	% of total families	Annual Turnover
Waiting list total	97		60
Extremely low income <=30% AMI	74	76.3	
Very low income (>30% but <=50% AMI)	23	23.7	
Low income (>50% but <80% AMI)	0	0	
Families with children	78	80.4	
Elderly families	2	2.1	
Families with Disabilities	15	15.5	
Race/ethnicity White	0	0	
Race/ethnicity Black	97	100	
Race/ethnicity Am. Indian	0	0	
Race/ethnicity Asian	0	0	
Characteristics by Bedroom Size (Public Housing Only)			
1BR	18	18.6	10
2 BR	46	47.4	25
3 BR	25	25.7	22
4 BR	8	8.2	3
5 BR	0	0	0
5+ BR	0	0	0
Is the waiting list closed (select one)? X No Yes If yes: <div style="margin-left: 40px;"> B. How long has it been closed (# of months)? Does the PHA expect to reopen the list in the PHA Plan year? No Yes Does the PHA permit specific categories of families onto the waiting list, even if generally closed? No Yes </div>			

C. Strategy for Addressing Needs

Provide a brief description of the PHA's strategy for addressing the housing needs of families in the jurisdiction and on the waiting list **IN THE UPCOMING YEAR**, and the Agency's reasons for choosing this strategy.

Need: Shortage of affordable housing for all eligible populations

Strategy 1. Maximize the number of affordable units available to the PHA within its current resources by:

Select all that apply

- ☒ X Employ effective maintenance and management policies to minimize the number of public housing units off-line
- ☒ X Reduce turnover time for vacated public housing units
- ☐ Reduce time to renovate public housing units
- ☐ Seek replacement of public housing units lost to the inventory through mixed finance development
- ☐ Seek replacement of public housing units lost to the inventory through section 8 replacement housing resources
- ☐ Maintain or increase section 8 lease-up rates by establishing payment standards that will enable families to rent throughout the jurisdiction
- ☐ Undertake measures to ensure access to affordable housing among families assisted by the PHA, regardless of unit size required
- ☐ Maintain or increase section 8 lease-up rates by marketing the program to owners, particularly those outside of areas of minority and poverty concentration
- ☐ Maintain or increase section 8 lease-up rates by effectively screening Section 8 applicants to increase owner acceptance of program
- ☐ Participate in the Consolidated Plan development process to ensure coordination with broader community strategies
- ☐ Other (list below)

Strategy 2: Increase the number of affordable housing units by:

Select all that apply

- ☐ Apply for additional section 8 units should they become available
- ☐ Leverage affordable housing resources in the community through the creation of mixed - finance housing
- ☐ Pursue housing resources other than public housing or Section 8 tenant-based assistance.
- ☐ Other: (list below)

Need: Specific Family Types: Families at or below 30% of median

Strategy 1: Target available assistance to families at or below 30 % of AMI

Select all that apply

- ☐ Exceed HUD federal targeting requirements for families at or below 30% of AMI in public housing
- ☐ Exceed HUD federal targeting requirements for families at or below 30% of AMI in tenant-based section 8 assistance
- ☐ Employ admissions preferences aimed at families with economic hardships
- ☒ Adopt rent policies to support and encourage work
- ☐ Other: (list below)

Need: Specific Family Types: Families at or below 50% of median

Strategy 1: Target available assistance to families at or below 50% of AMI

Select all that apply

- ☒ Employ admissions preferences aimed at families who are working
- ☒ Adopt rent policies to support and encourage work
- ☐ Other: (list below)

B. Need: Specific Family Types: The Elderly

Strategy 1: Target available assistance to the elderly:

Select all that apply

- ☐ Seek designation of public housing for the elderly
- ☐ Apply for special-purpose vouchers targeted to the elderly, should they become available
- ☒ Other: (list below) *A local Admission Preference will include the elderly*

Need: Specific Family Types: Families with Disabilities

Strategy 1: Target available assistance to Families with Disabilities:

Select all that apply

- ☐ Seek designation of public housing for families with disabilities
- ☐ Carry out the modifications needed in public housing based on the section 504 Needs Assessment for Public Housing
- ☐ Apply for special-purpose vouchers targeted to families with disabilities, should they become available
- ☐ Affirmatively market to local non-profit agencies that assist families with disabilities

☒ Other: (list below) *Local Admissions Preferences to include families with disabilities*

Need: Specific Family Types: Races or ethnicities with disproportionate housing needs

Strategy 1: Increase awareness of PHA resources among families of races and ethnicities with disproportionate needs:

Select if applicable

☐ Affirmatively market to races/ethnicities shown to have disproportionate housing needs

☐ Other: (list below)

Strategy 2: Conduct activities to affirmatively further fair housing

Select all that apply

☐ Counsel section 8 tenants as to location of units outside of areas of poverty or minority concentration and assist them to locate those units

☐ Market the section 8 program to owners outside of areas of poverty /minority concentrations

☐ Other: (list below)

Other Housing Needs & Strategies: (list needs and strategies below)

(2) Reasons for Selecting Strategies

Of the factors listed below, select all that influenced the PHA's selection of the strategies it will pursue:

☒ Funding constraints

☒ Staffing constraints

☒ Limited availability of sites for assisted housing

☐ Extent to which particular housing needs are met by other organizations in the community

☐ Evidence of housing needs as demonstrated in the Consolidated Plan and other information available to the PHA

☐ Influence of the housing market on PHA programs

☐ Community priorities regarding housing assistance

☐ Results of consultation with local or state government

☐ Results of consultation with residents and the Resident Advisory Board

☐ Results of consultation with advocacy groups

☐ Other: (list below)

Statement of Financial Resources

[24 CFR Part 903.7 9 (b)]

List the financial resources that are anticipated to be available to the PHA for the support of Federal public housing and tenant-based Section 8 assistance programs administered by the PHA during the Plan year. Note: the table assumes that Federal public housing or tenant based Section 8 assistance grant funds are expended on eligible purposes; therefore, uses of these funds need not be stated. For other funds, indicate the use for those funds as one of the following categories: public housing operations (HO), public housing capital improvements (CI), public housing safety/security (SEC), public

Financial Resources: Planned Sources and Uses	Planned \$	Planned Uses
Sources		
1. Federal Grants (FY 2000 grants)		
a) Public Housing Operating Fund	121,261.00	
b) Public Housing Capital Fund	293,203.00	
c) HOPE VI Revitalization	----	
d) HOPE VI Demolition	----	
e) Annual Contributions for Section 8 Tenant-Based Assistance	----	
f) Public Housing Drug Elimination Program (including any Technical Assistance funds)	----	
g) Resident Opportunity and Self-Sufficiency Grants	----	
h) Community Development Block Grant	----	----
i) HOME	----	----
Other Federal Grants (list below)	----	----
2. Prior Year Federal Grants (unobligated funds only) (list below)	----	----
	----	----
	----	----
	----	----
3. Public Housing Dwelling Rental Income	238,000.00	HO, CI, SEC, SS
	----	----
	----	----
4. Other income (list below)		
Interest	8,000.00	HO, CI, SEC, SS
Late Charges / Sales & Service	13,000.00	HO, CI, SEC, SS
4. Non-federal sources (list below)	----	----
	----	----
	----	----
	----	----
Total resources	673,464.00	HO, CI, SEC, SS

Sources	Planned \$	Planned Uses

3. PHA Policies Governing Eligibility, Selection, and Admissions

[24 CFR Part 903.7 9 (c)]

A. Public Housing

Exemptions: PHAs that do not administer public housing are not required to complete subcomponent

(1) Eligibility

a. When does the PHA verify eligibility for admission to public housing? (select all that apply)

☐ When families are within a certain number of being offered a unit: (state number)

☒ When families are within a certain time of being offered a unit: (state time)

☐ Other: (describe)

b. Which non-income (screening) factors does the PHA use to establish eligibility for admission to public housing (select all that apply)?

☒ Criminal or Drug-related activity

☒ Rental history

☒ Housekeeping

☒ Other (describe) *Credit History Verification*

c. ☒ Yes ☐ No: Does the PHA request criminal records from local law enforcement agencies for screening purposes?

d. ☒ Yes ☐ No: Does the PHA request criminal records from State law enforcement agencies for screening purposes?

e. ☒ Yes ☐ No: Does the PHA access FBI criminal records from the FBI for screening purposes? (either directly or through an NCIC-authorized source)

(2) Waiting List Organization

a. Which methods does the PHA plan to use to organize its public housing waiting list (select all that

apply)

- ☒ Community-wide list
- ☐ Sub-jurisdictional lists
- ☐ Site-based waiting lists
- ☐ Other (describe)

b. Where may interested persons apply for admission to public housing?

- ☒ PHA main administrative office
- ☐ PHA development site management office
- ☐ Other (list below)

c. If the PHA plans to operate one or more site-based waiting lists in the coming year, answer each of the following questions; if not, skip to subsection **(3) Assignment**

1. How many site-based waiting lists will the PHA operate in the coming year?

2. ☐ Yes ☐ No: Are any or all of the PHA's site-based waiting lists new for the upcoming year (that is, they are not part of a previously-HUD-approved site based waiting list plan)?
If yes, how many lists?

3. ☐ Yes ☐ No: May families be on more than one list simultaneously?
If yes, how many lists?

4. Where can interested persons obtain more information about and sign up to be on the site-based waiting lists (select all that apply)?

- ☐ PHA main administrative office
- ☐ All PHA development management offices
- ☐ Management offices at developments with site-based waiting lists
- ☐ At the development to which they would like to apply
- ☐ Other (list below)

(3) Assignment

a. How many vacant unit choices are applicants ordinarily given before they fall to the bottom of or are removed from the waiting list? (select one)

- ☒ One
- ☐ Two
- ☐ Three or More

b. ☒ Yes ☐ No: Is this policy consistent across all waiting list types?

- c. If answer to b is no, list variations for any other than the primary public housing waiting list/s for the PHA:

(4) Admissions Preferences

a. Income targeting:

X___ Yes ___ No: Does the PHA plan to exceed the federal targeting requirements by targeting more than 40% of all new admissions to public housing to families at or below 30% of median area income?

b. Transfer policies:

In what circumstances will transfers take precedence over new admissions? (list below)

☒ Emergencies

☒ Overhoused

☒ Underhoused

☒ Medical justification

X___ Administrative reasons determined by the PHA (e.g., to permit modernization work)

☒ Resident choice: (state circumstances below)

___ Other: (list below)

a. Preferences

1. ☒ Yes ___ No: Has the PHA established preferences for admission to public housing (other than date and time of application)? (If "no" is selected, skip to subsection **(5) Occupancy**)

1. Which of the following admission preferences does the PHA plan to employ in the coming year? (select all that apply from either former Federal preferences or other preferences)

Former Federal preferences:

X___ Involuntary Displacement (Disaster, Government Action, Action of Housing
___ Owner, Inaccessibility, Property Disposition)

☒ Victims of domestic violence

☒ Substandard housing

☒ Homelessness

☒ High rent burden (rent is > 50 percent of income)

Other preferences: (select below)

- ☒ Working families and those unable to work because of age or disability
- ☐ Veterans and veterans' families
- ☐ Residents who live and/or work in the jurisdiction
- ☒ Those enrolled currently in educational, training, or upward mobility programs
- ☐ Households that contribute to meeting income goals (broad range of incomes)
- ☐ Households that contribute to meeting income requirements (targeting)
- ☐ Those previously enrolled in educational, training, or upward mobility programs
- ☐ Victims of reprisals or hate crimes
- ☒ Other preference(s) (list below)
 - Veterans: Active Military, Retired Military, or Honorably Discharged w/ DD214
 - Overcrowded Housing
 - Elderly or Handicapped/disabled persons.

3. If the PHA will employ admissions preferences, please prioritize by placing a "1" in the space that represents your first priority, a "2" in the box representing your second priority, and so on. If you give equal weight to one or more of these choices (either through an absolute hierarchy or through a point system), place the same number next to each. That means you can use "1" more than once, "2" more than once, etc.

12 Date and Time

Former Federal preferences:

- 5 Involuntary Displacement (Disaster, Government Action, Action of Housing
- ☐ Owner, Inaccessibility, Property Disposition)
- 7 Victims of domestic violence
- 6 Substandard housing
- 4 Homelessness
- 9 High rent burden

Other preferences (select all that apply)

- 2 Working families and those unable to work because of age or disability
- ☐ Veterans and veterans' families
- ☐ Residents who live and/or work in the jurisdiction
- 3 Those enrolled currently in educational, training, or upward mobility programs
- ☐ Households that contribute to meeting income goals (broad range of incomes)
- ☐ Households that contribute to meeting income requirements (targeting)
- ☐ Those previously enrolled in educational, training, or upward mobility programs

- ☐ Victims of reprisals or hate crimes
- ☒ 12 Other preference(s) (list below)
- 1 - Elderly, Handicapped/Disabled Persons
- 8 - Veterans: Active, Retired or Honorably Discharged (DD214)
- 10 - Overcrowded Housing
- 11 - All Other Families

4. Relationship of preferences to income targeting requirements:

- ☐ The PHA applies preferences within income tiers
- ☒ Not applicable: the pool of applicant families ensures that the PHA will meet income targeting requirements

(5) Occupancy

a. What reference materials can applicants and residents use to obtain information about the rules of occupancy of public housing (select all that apply)

- ☒ The PHA-resident lease
- ☒ The PHA's Admissions and (Continued) Occupancy policy
- ☐ PHA briefing seminars or written materials
- ☒ Other source (list) *Any and all other policies & notices are available upon request*

b. How often must residents notify the PHA of changes in family composition?
(select all that apply)

- ☒ At an annual reexamination and lease renewal
- ☒ Any time family composition changes
- ☒ At family request for revision
- ☒ Other (list) *At the PHA request for revision or need for additional information*

(6) Deconcentration and Income Mixing

a. ☐ Yes ☒ No: Did the PHA's analysis of its family (general occupancy) developments to determine concentrations of poverty indicate the need for measures to promote deconcentration of poverty or income mixing?

b. ☐ Yes ☒ No: Did the PHA adopt any changes to its **admissions policies** based on the results of the required analysis of the need to promote deconcentration of poverty or to assure income mixing?

c. If the answer to b was yes, what changes were adopted? (select all that apply)

- ☐ Adoption of site-based waiting lists

_____ If selected, list targeted developments below:

_____ Employing waiting list “skipping” to achieve deconcentration of poverty or income mixing goals at targeted developments

If selected, list targeted developments below:

_____ Employing new admission preferences at targeted developments

If selected, list targeted developments below:

_____ Other (list policies and developments targeted below)

d. ____ Yes X No: Did the PHA adopt any changes to **other** policies based on the results of the required analysis of the need for deconcentration of poverty and income mixing?

e. If the answer to d was yes, how would you describe these changes? (select all that apply)

_____ Additional affirmative marketing

_____ Actions to improve the marketability of certain developments

_____ Adoption or adjustment of ceiling rents for certain developments

_____ Adoption of rent incentives to encourage deconcentration of poverty and income-mixing

_____ Other (list below)

f. Based on the results of the required analysis, in which developments will the PHA make special efforts to attract or retain higher-income families? (select all that apply)

X Not applicable: results of analysis did not indicate a need for such efforts

_____ List (any applicable) developments below:

g. Based on the results of the required analysis, in which developments will the PHA make special efforts to assure access for lower-income families? (select all that apply)

X Not applicable: results of analysis did not indicate a need for such efforts

_____ List (any applicable) developments below:

B. Section 8

Exemptions: PHAs that do not administer section 8 are not required to complete sub-component 3B.

(1) Eligibility Unless otherwise specified, all questions in this section apply only to the tenant-based section 8 assistance program (vouchers, and until completely merged into the voucher program, certificates).

a. What is the extent of screening conducted by the PHA? (select all that apply)

- ☐ Criminal or drug-related activity only to the extent required by law or regulation
- ☐ Criminal and drug-related activity, more extensively than required by law or regulation
- ☐ More general screening than criminal and drug-related activity (list factors below)
- ☐ Other (list below)

b. ☐ Yes ☐ No: Does the PHA request criminal records from local law enforcement agencies for screening purposes?

c. ☐ Yes ☐ No: Does the PHA request criminal records from State law enforcement agencies for screening purposes?

d. ☐ Yes ☐ No: Does the PHA access FBI criminal records from the FBI for screening purposes? (either directly or through an NCIC-authorized source)

e. Indicate what kinds of information you share with prospective landlords? (select all that apply)

- ☐ Criminal or drug-related activity
- ☐ Other (describe below)

(2) Waiting List Organization

a. With which of the following program waiting lists is the section 8 tenant-based assistance waiting list merged? (select all that apply)

- ☐ None
- ☐ Federal public housing
- ☐ Federal moderate rehabilitation
- ☐ Federal project-based certificate program
- ☐ Other federal or local program (list below)

b. Where may interested persons apply for admission to section 8 tenant-based assistance? (select all that apply)

- ☐ PHA main administrative office
- ☐ Other (list below)

(3) Search Time

a. ☐ Yes ☐ No: Does the PHA give extensions on standard 60-day period to search for a unit?

If yes, state circumstances below:

(4) Admissions Preferences

a. Income targeting

____ Yes ____ No: Does the PHA plan to exceed the federal targeting requirements by targeting more than 75% of all new admissions to the section 8 program to families at or below 30% of median area income?

b. Preferences

1. ____ Yes ____ No: Has the PHA established preferences for admission to section 8 tenant-based assistance? (other than date and time of application) (if no, skip to subcomponent **(5) Special purpose section 8 assistance programs**)

2. Which of the following admission preferences does the PHA plan to employ in the coming year? (select all that apply from either former Federal preferences or other preferences)

Former Federal preferences

- ____ Involuntary Displacement (Disaster, Government Action, Action of Housing Owner, Inaccessibility, Property Disposition)
- ____ Victims of domestic violence
- ____ Substandard housing
- ____ Homelessness
- ____ High rent burden (rent is > 50 percent of income)

Other preferences (select all that apply)

- ____ Working families and those unable to work because of age or disability
- ____ Veterans and veterans' families
- ____ Residents who live and/or work in your jurisdiction
- ____ Those enrolled currently in educational, training, or upward mobility programs
- ____ Households that contribute to meeting income goals (broad range of incomes)
- ____ Households that contribute to meeting income requirements (targeting)
- ____ Those previously enrolled in educational, training, or upward mobility programs
- ____ Victims of reprisals or hate crimes
- ____ Other preference(s) (list below)

3. If the PHA will employ admissions preferences, please prioritize by placing a "1" in the space that represents your first priority, a "2" in the box representing your second priority, and so on. If you give equal weight to one or more of these choices (either through an absolute hierarchy or through a point system), place the same number next to each. That means you can use "1" more than once, "2" more than once, etc.

_____ Date and Time

Former Federal preferences

- _____ Involuntary Displacement (Disaster, Government Action, Action of Housing Owner, Inaccessibility, Property Disposition)
- _____ Victims of domestic violence
- _____ Substandard housing
- _____ Homelessness
- _____ High rent burden

Other preferences (select all that apply)

- _____ Working families and those unable to work because of age or disability
- _____ Veterans and veterans' families
- _____ Residents who live and/or work in your jurisdiction
- _____ Those enrolled currently in educational, training, or upward mobility programs
- _____ Households that contribute to meeting income goals (broad range of incomes)
- _____ Households that contribute to meeting income requirements (targeting)
- _____ Those previously enrolled in educational, training, or upward mobility programs
- _____ Victims of reprisals or hate crimes
- _____ Other preference(s) (list below)

4. Among applicants on the waiting list with equal preference status, how are applicants selected? (select one)

- _____ Date and time of application
- _____ Drawing (lottery) or other random choice technique

5. If the PHA plans to employ preferences for "residents who live and/or work in the jurisdiction" (select one)

- _____ This preference has previously been reviewed and approved by HUD
- _____ The PHA requests approval for this preference through this PHA Plan

6. Relationship of preferences to income targeting requirements: (select one)

- _____ The PHA applies preferences within income tiers
- _____ Not applicable: the pool of applicant families ensures that the PHA will meet income targeting requirements

(5) Special Purpose Section 8 Assistance Programs

- a. In which documents or other reference materials are the policies governing eligibility, selection, and admissions to any special-purpose section 8 program administered by the PHA contained? (select all that apply)

_____ The Section 8 Administrative Plan
_____ Briefing sessions and written materials
_____ Other (list below)

- a. How does the PHA announce the availability of any special-purpose section 8 programs to the public?

_____ Through published notices
_____ Other (list below)

4. PHA Rent Determination Policies

[24 CFR Part 903.7 9 (d)]

A. Public Housing

Exemptions: PHAs that do not administer public housing are not required to complete sub-

(1) Income Based Rent Policies

Describe the PHA's income based rent setting policy/ies for public housing using, including discretionary (that is, not required by statute or regulation) income disregards and exclusions, in the appropriate spaces below.

 X The PHA will not employ any discretionary rent-setting policies for income based rent in public housing. Income-based rents are set at the higher of 30% of adjusted monthly income, 10% of unadjusted monthly income, the welfare rent, or minimum rent (less HUD mandatory deductions and exclusions). (If selected, skip to sub-component (2))

---or---

_____ The PHA employs discretionary policies for determining income based rent (If selected, continue to question b.)

b. Minimum Rent

1. What amount best reflects the PHA's minimum rent? (select one)

- ☐ \$0
☐ \$1-\$25
☒ \$26-\$50

2. ☐ Yes ☒ No: Has the PHA adopted any discretionary minimum rent hardship exemption policies?

3. If yes to question 2, list these policies below:

a. Rents set at less than 30% than adjusted income

1. ☒ Yes ☐ No: Does the PHA plan to charge rents at a fixed amount or percentage less than 30% of adjusted income?

2. If yes to above, list the amounts or percentages charged and the circumstances under which these will be used below:

Flat Rents as determined by Fair Market Rent Calculations, which tenant accepts.

1 Bedroom	\$359.00
2 Bedroom	\$371.00
3 Bedroom	\$384.00
4 Bedroom	\$397.00

d. Which of the discretionary (optional) deductions and/or exclusions policies does the PHA plan to employ (select all that apply)

☐ For the earned income of a previously unemployed household member
☐ For increases in earned income
☐ Fixed amount (other than general rent-setting policy)
If yes, state amount/s and circumstances below:

☐ Fixed percentage (other than general rent-setting policy)
If yes, state percentage/s and circumstances below:

☐ For household heads
☐ For other family members

- ☒ For transportation expenses
☐ For the non-reimbursed medical expenses of non-disabled or non-elderly families
☐ Other (describe below)

e. Ceiling rents

1. Do you have ceiling rents? (rents set at a level lower than 30% of adjusted income) (select one)

- ☐ Yes for all developments
☐ Yes but only for some developments
☒ No

2. For which kinds of developments are ceiling rents in place? (select all that apply)

- ☐ For all developments
☐ For all general occupancy developments (not elderly or disabled or elderly only)
☐ For specified general occupancy developments
☐ For certain parts of developments; e.g., the high-rise portion
☐ For certain size units; e.g., larger bedroom sizes
☐ Other (list below)

3. Select the space or spaces that best describe how you arrive at ceiling rents (select all that apply)

- ☐ Market comparability study
☐ Fair market rents (FMR)
☐ 95th percentile rents
☐ 75 percent of operating costs
☐ 100 percent of operating costs for general occupancy (family) developments
☐ Operating costs plus debt service
☐ The "rental value" of the unit
☐ Other (list below)

f. Rent re-determinations:

1. Between income reexaminations, how often must tenants report changes in income or family

composition to the PHA such that the changes result in an adjustment to _____ rent? (select all that apply)

_____ Never

_____ At family option

X Any time the family experiences an income increase

_____ Any time a family experiences an income increase above a threshold amount or percentage: (if selected, specify threshold) _____

X Other (list below) *At any time the PHA determines a need to obtain more complete and accurate information.*

g. _____ Yes X No: Does the PHA plan to implement individual savings accounts for residents (ISAs) as an alternative to the required 12 month disallowance of earned income and phasing in of rent increases in the next year?

(2) Flat Rents

1. In setting the market-based flat rents, what sources of information did the PHA use to establish comparability? (select all that apply.)

X The section 8 rent reasonableness study of comparable housing

_____ Survey of rents listed in local newspaper

_____ Survey of similar unassisted units in the neighborhood

_____ Other (list/describe below)

B. Section 8 Tenant-Based Assistance

Exemptions: PHAs that do not administer Section 8 tenant-based assistance are not required to complete sub-component 4B. **Unless otherwise specified, all questions in this section apply only to the tenant-based section 8 assistance program (vouchers, and until completely merged into the (1) Payment Standards**

Describe the voucher payment standards and policies.

a. What is the PHA's payment standard? (select the category that best describes your standard)

_____ At or above 90% but below 100% of FMR

_____ 100% of FMR

_____ Above 100% but at or below 110% of FMR

_____ Above 110% of FMR (if HUD approved; describe circumstances below)

b. If the payment standard is lower than FMR, why has the PHA selected this standard? (select all that apply)

_____ FMRs are adequate to ensure success among assisted families in the PHA's segment of the FMR area

_____ The PHA has chosen to serve additional families by lowering the payment standard

_____ Reflects market or submarket

_____ Other (list below)

c. If the payment standard is higher than FMR, why has the PHA chosen this level? (select all that apply)

- _____ FMRs are not adequate to ensure success among assisted families in the PHA's segment of the FMR area
- _____ Reflects market or submarket
- _____ To increase housing options for families
- _____ Other (list below)

d. How often are payment standards reevaluated for adequacy? (select one)

- _____ Annually
- _____ Other (list below)

e. What factors will the PHA consider in its assessment of the adequacy of its payment standard? (select all that apply)

- _____ Success rates of assisted families
- _____ Rent burdens of assisted families
- _____ Other (list below)

(2) Minimum Rent

a. What amount best reflects the PHA's minimum rent? (select one)

- _____ \$0
- _____ \$1-\$25
- _____ \$26-\$50

b. ____ Yes ____ No: Has the PHA adopted any discretionary minimum rent hardship exemption policies? (if yes, list below)

5. Operations and Management

[24 CFR Part 903.79 (e)]

Exemptions from Component 5: High performing and small PHAs are not required to complete this section. Section 8 only PHAs must complete parts A, B, and C(2)

A. PHA Management Structure

(Section 8 only) Describe the PHA's management structure and organization.

- _____ An organization chart showing the PHA's management structure and organization is attached.
- _____ A brief description of the management structure and organization of the PHA follows:

B. HUD Programs Under PHA Management

_____. List Federal programs administered by the PHA, number of families served at the beginning of the upcoming fiscal year, and expected turnover in each. (Use "NA" to indicate that the PHA does not operate any of the programs listed below.)

Program Name	Units or Families Served at Year Beginning	Expected Turnover
Public Housing		
Section 8 Vouchers		
Section 8 Certificates		
Section 8 Mod Rehab		
Special Purpose Section 8 Certificates/Vouchers (list individually)		
Public Housing Drug Elimination Program (PHDEP)		
Other Federal Programs(list individually)		

C. Management and Maintenance Policies

List the PHA's public housing management and maintenance policy documents, manuals and handbooks that contain the Agency's rules, standards, and policies that govern maintenance and management of public housing, including a description of any measures necessary for the prevention or eradication of pest infestation (which includes cockroach infestation) and the policies governing Section 8 management. (list below)

6. PHA Grievance Procedures

[24 CFR Part 903.7 9 (f)]

Exemptions from component 6: High performing PHAs are not required to complete component 6. Section 8-Only PHAs are exempt from sub-component 6A.

A. Public Housing

1. ____ Yes X No: Has the PHA established any written grievance procedures in addition to federal requirements found at 24 CFR Part 966, Subpart B, for residents of public housing?

If yes, list additions to federal requirements below:

2. Which PHA office should residents or applicants to public housing contact to initiate the PHA grievance process? (select all that apply)
- X PHA main administrative office
- ____ PHA development management offices
- ____ Other (list below)

B. Section 8 Tenant-Based Assistance

1. ____ Yes ____ No: Has the PHA established informal review procedures for applicants to the Section 8 tenant-based assistance program and informal hearing procedures for families assisted by the Section 8 tenant-based assistance program in addition to federal requirements found at 24 CFR 982?

If yes, list additions to federal requirements below:

2. Which PHA office should applicants or assisted families contact to initiate the informal review and informal hearing processes? (select all that apply)
- ____ PHA main administrative office
- ____ Other (list below)

7. Capital Improvement Needs

[24 CFR Part 903.79 (g)]

Exemptions from Component 7: Section 8 only PHAs are not required to complete this component and may skip to Component 8.

A. Capital Fund Activities

Exemptions from sub-component 7A: PHAs that will not participate in the Capital Fund Program may skip to component 7B. All other PHAs must complete 7A as instructed.

(1) Capital Fund Program Annual Statement

Using parts I, II, and III of the Annual Statement for the Capital Fund Program (CFP), identify capital activities the PHA is proposing for the upcoming year to ensure long-term physical and social viability of its public housing developments. This statement can be completed by using the CFP Annual Statement tables provided in the table library at the end of the PHA Plan template **OR**, at the PHA's option, by completing and attaching a properly updated HUD-52837.

Select one:

X The Capital Fund Program Annual Statement is provided as an attachment to the PHA Plan at Attachment (ms061a01).

-or-

_____ The Capital Fund Program Annual Statement is provided below: (if selected, copy the CFP Annual Statement from the Table Library and insert here)

(2) Optional 5-Year Action Plan

Agencies are encouraged to include a 5-Year Action Plan covering capital work items. This statement can be completed by using the 5-Year Action Plan table provided in the table library at the end of the PHA Plan template OR by completing and attaching a properly updated HUD-52834. (if no, skip to sub-component 7B)

b. If yes to question a, select one:

_____ The Capital Fund Program 5-Year Action Plan is provided as an attachment to the PHA Plan at Attachment (ms061b01)

-or-

_____ The Capital Fund Program 5-Year Action Plan is provided below: (if selected, copy the CFP optional 5 Year Action Plan from the Table Library and insert here)

B. HOPE VI and Public Housing Development and Replacement Activities (Non-Capital Fund)

Applicability of sub-component 7B: All PHAs administering public housing. Identify any approved HOPE VI and/or public housing development or replacement activities not described in the Capital Fund Program Annual Statement.

_____ Yes X No: a) Has the PHA received a HOPE VI revitalization grant? (if no, skip to question c; if yes, provide responses to question b for each grant, copying and completing as many times as necessary)

b) Status of HOPE VI revitalization grant (complete one set of questions for each grant)

1. Development name:

2. Development (project) number:

3. Status of grant: (select the statement that best describes the current status)

_____ Revitalization Plan under development

_____ Revitalization Plan submitted, pending approval

_____ Revitalization Plan approved

_____ Activities pursuant to an approved Revitalization Plan underway

_____ Yes X No: c) Does the PHA plan to apply for a HOPE VI Revitalization grant in the Plan year?

If yes, list development name/s below:

_____ Yes X No: d) Will the PHA be engaging in any mixed-finance development activities for

public housing in the Plan year?
If yes, list developments or activities below:

___ Yes X No: e) Will the PHA be conducting any other public housing development or replacement activities not discussed in the Capital Fund Program Annual Statement?

If yes, list developments or activities below:

8. Demolition and Disposition

[24 CFR Part 903.7 9 (h)]

Applicability of component 8: Section 8 only PHAs are not required to complete this section.

1. ___ Yes X No: Does the PHA plan to conduct any demolition or disposition activities (pursuant to section 18 of the U.S. Housing Act of 1937 (42 U.S.C. 1437p)) in the plan Fiscal Year? (If “No”, skip to component 9; if “yes”, complete one activity description for each development.)

2. Activity Description

___ Yes ___ No: Has the PHA provided the activities description information in the **optional** Public Housing Asset Management Table? (If “yes”, skip to component 9. If “No”, complete the Activity Description table below.)

Demolition/Disposition Activity Description
1a. Development name: 1b. Development (project) number:
2. Activity type: ___ Demolition ___ Disposition
3. Application status (select one) ___ Approved ___ Submitted, pending approval ___ Planned application
4. Date application approved, submitted, or planned for submission: (DD/MM/YY)
5. Number of units affected: Coverage of action (select one) ___ Part of the development ___ Total development
7. Timeline for activity: a. Actual or projected start date of activity:

b. Projected end date of activity:

9. Designation of Public Housing for Occupancy by Elderly Families or Families with Disabilities or Elderly Families and Families with Disabilities

[24 CFR Part 903.7 9 (i)]

Exemptions from Component 9; Section 8 only PHAs are not required to complete this section.

1. ☐ Yes ☒ No: Has the PHA designated or applied for approval to designate or does the PHA plan to apply to designate any public housing for occupancy only by the elderly families or only by families with disabilities, or by elderly families and families with disabilities or will apply for designation for occupancy by only elderly families or only families with disabilities, or by elderly families and families with disabilities as provided by section 7 of the U.S. Housing Act of 1937 (42 U.S.C. 1437e) in the upcoming fiscal year? (If “No”, skip to component 10. If “yes”, complete one activity description for each development, unless the PHA is eligible to complete a streamlined submission; PHAs completing streamlined submissions may skip to component 10.)

2. Activity Description

- ☐ Yes ☐ No: Has the PHA provided all required activity description information for this component in the **optional** Public Housing Asset Management Table? If “yes”, skip to component 10. If “No”, complete the Activity Description table below.

<u>Designation of Public Housing Activity Description</u>
<u>1a. Development name:</u>
<u>1b. Development (project) number:</u>
2. Designation type: <input type="checkbox"/> Occupancy by only the elderly <input type="checkbox"/> Occupancy by families with disabilities <input type="checkbox"/> Occupancy by only elderly families and families with disabilities
3. Application status (select one) <input type="checkbox"/> Approved; included in the PHA’s Designation Plan <input type="checkbox"/> Submitted, pending approval <input type="checkbox"/> Planned application
4. Date this designation approved, submitted, or planned for submission: (DD/MM/YY)
5. If approved, will this designation constitute a (select one) <input type="checkbox"/> New Designation Plan

<input type="checkbox"/> Revision of a previously-approved Designation Plan? 1. Number of units affected: 7. Coverage of action (select one) <input type="checkbox"/> Part of the development <input type="checkbox"/> Total development
--

10. Conversion of Public Housing to Tenant-Based Assistance

[24 CFR Part 903.7 9 (j)]

Exemptions from Component 10; Section 8 only PHAs are not required to complete this section.

A. Assessments of Reasonable Revitalization Pursuant to section 202 of the HUD FY 1996 HUD Appropriations Act

1. ☐ Yes ☒ No: Have any of the PHA's developments or portions of developments been identified by HUD or the PHA as covered under section 202 of the HUD FY 1996 HUD Appropriations Act? (If "No", skip to component 11; if "yes", complete one activity description for each identified development, unless eligible to complete a streamlined submission. PHAs completing streamlined submissions may skip to component 11.)

2. Activity Description

- ☐ Yes ☐ No: Has the PHA provided all required activity description information for this component in the **optional** Public Housing Asset Management Table? If "yes", skip to component 11. If "No", complete the Activity Description table below.

Conversion of Public Housing Activity Description
1a. Development name:
1b. Development (project) number:
2. What is the status of the required assessment? <input type="checkbox"/> Assessment underway <input type="checkbox"/> Assessment results submitted to HUD <input type="checkbox"/> Assessment results approved by HUD (if marked, proceed to next question) <input type="checkbox"/> Other (explain below)
3. <input type="checkbox"/> Yes <input type="checkbox"/> No: Is a Conversion Plan required? (If yes, go to block 4; if no, go to block 5.)
4. Status of Conversion Plan (select the statement that best describes the current status) <input type="checkbox"/> Conversion Plan in development

_____	Conversion Plan submitted to HUD on: (DD/MM/YYYY)
_____	Conversion Plan approved by HUD on: (DD/MM/YYYY)
_____	Activities pursuant to HUD-approved Conversion Plan underway

5. Description of how requirements of Section 202 are being satisfied by means other than conversion (select one)

_____ Units addressed in a pending or approved demolition application (date submitted or approved: _____)

_____ Units addressed in a pending or approved HOPE VI demolition application (date submitted or approved: _____)

_____ Units addressed in a pending or approved HOPE VI Revitalization Plan (date submitted or approved: _____)

_____ Requirements no longer applicable: vacancy rates are less than 10 percent

_____ Requirements no longer applicable: site now has less than 300 units

_____ Other: (describe below)

B. Reserved for Conversions pursuant to Section 22 of the U.S. Housing Act of 1937

C. Reserved for Conversions pursuant to Section 33 of the U.S. Housing Act of 1937

11. Homeownership Programs Administered by the PHA

[24 CFR Part 903.7 9 (k)]

A. Public Housing

Exemptions from Component 11A: Section 8 only PHAs are not required to complete 11A.

1. ____ Yes X No: Does the PHA administer any homeownership programs administered by the PHA under an approved section 5(h) homeownership program (42 U.S.C. 1437c(h)), or an approved HOPE I program (42 U.S.C. 1437aaa) or has the PHA applied or plan to apply to administer any homeownership programs under section 5(h), the HOPE I program, or section 32 of the U.S. Housing Act of 1937 (42 U.S.C. 1437z-4). (If “No”, skip to component 11B; if “yes”, complete one activity description for each applicable program/plan, unless eligible to complete a streamlined submission due to **small PHA** or **high performing PHA** status. PHAs completing streamlined submissions may skip to component 11B.)

2. Activity Description

- ____ Yes ____ No: Has the PHA provided all required activity description information for this component in the **optional** Public Housing Asset Management Table? (If “yes”, skip to component 12. If “No”, complete the Activity Description table below.)

Public Housing Homeownership Activity Description (Complete one for each development affected)	
1a. Development name:	
1b. Development (project) number:	
2. Federal Program authority:	
_____	HOPE I
_____	5(h)
_____	Turnkey III
_____	Section 32 of the USHA of 1937 (effective 10/1/99)
3. Application status: (select one)	
_____	Approved; included in the PHA's Homeownership Plan/Program
_____	Submitted, pending approval
_____	Planned application
4. Date Homeownership Plan/Program approved, submitted, or planned for submission: (DD/MM/YYYY)	
5. Number of units affected:	
6. Coverage of action: (select one)	
_____	Part of the development
_____	Total development

B. Section 8 Tenant Based Assistance

1. ____ Yes __X__ No: Does the PHA plan to administer a Section 8 Homeownership program pursuant to Section 8(y) of the U.S.H.A. of 1937, as implemented by 24 CFR part 982 ? (If "No", skip to component 12; if "yes", describe each program using the table below (copy and complete questions for each program identified), unless the PHA is eligible to complete a streamlined submission due to high performer status. **High performing PHAs** may skip to component 12.)

2. Program Description:

a. Size of Program

____ Yes ____ No: Will the PHA limit the number of families participating in the section 8 homeownership option?

If the answer to the question above was yes, which statement best describes the number of participants? (select one)

____ 25 or fewer participants

- _____ 26 - 50 participants
- _____ 51 to 100 participants
- _____ more than 100 participants

b. PHA-established eligibility criteria

_____ Yes _____ No: Will the PHA's program have eligibility criteria for participation in its Section 8 Homeownership Option program in addition to HUD criteria?
If yes, list criteria below:

12. PHA Community Service and Self-sufficiency Programs

[24 CFR Part 903.7 9 (l)]

Exemptions from Component 12: High performing and small PHAs are not required to complete this component C. Section 8 only with the Welfare (TANF) Agency

A. PHA Coordination with the Welfare (TANF) Agency

1. Cooperative agreements:

_____ Yes _____ No: Has the PHA has entered into a cooperative agreement with the TANF Agency, to share information and/or target supportive services (as contemplated by section 12(d)(7) of the Housing Act of 1937)?

If yes, what was the date that agreement was signed? DD/MM/YY

2. Other coordination efforts between the PHA and TANF agency (select all that apply)

- _____ Client referrals
- _____ Information sharing regarding mutual clients (for rent determinations and otherwise)
- _____ Coordinate the provision of specific social and self-sufficiency services and programs to eligible families
- _____ Jointly administer programs
- _____ Partner to administer a HUD Welfare-to-Work voucher program
- _____ Joint administration of other demonstration program
- _____ Other (describe)

B. Services and programs offered to residents and participants

(1) General

a. Self-Sufficiency Policies

Which, if any of the following discretionary policies will the PHA employ to enhance the

economic and social self-sufficiency of assisted families in the following areas? (select all that apply)

- ☐ Public housing rent determination policies
- ☐ Public housing admissions policies
- ☐ Section 8 admissions policies
- ☐ Preference in admission to section 8 for certain public housing families
- ☐ Preferences for families working or engaging in training or education programs for non-housing programs operated or coordinated by the PHA
- ☐ Preference/eligibility for public housing homeownership option participation
- ☐ Preference/eligibility for section 8 homeownership option participation
- ☐ Other policies (list below)

b. Economic and Social self-sufficiency programs

☐ Yes ☐ No: Does the PHA coordinate, promote or provide any programs to enhance the economic and social self-sufficiency of residents? (If “yes”, complete the following table; if “no” skip to sub-component 2, Family Self Sufficiency Programs. The position of the table may be altered to facilitate its use.)

Services and Programs

Program Name & Description (including location, if appropriate)	Estimated Size	Allocation Method (waiting list/random selection/specific criteria/other)	Access (development office / PHA main office / other provider name)	Eligibility (public housing or section 8 participants or both)

(2) Family Self Sufficiency program/s

a. Participation Description

Family Self Sufficiency (FSS) Participation		
Program	Required Number of Participants (start of FY 2000 Estimate)	Actual Number of Participants (As of: DD/MM/YY)
Public Housing		
Section 8		

- b. ____ Yes ____ No: If the PHA is not maintaining the minimum program size required by HUD, does the most recent FSS Action Plan address the steps the PHA plans to take to achieve at least the minimum program size?
If no, list steps the PHA will take below:

C. Welfare Benefit Reductions

1. The PHA is complying with the statutory requirements of section 12(d) of the U.S. Housing Act of 1937 (relating to the treatment of income changes resulting from welfare program requirements) by: (select all that apply)
- ____ Adopting appropriate changes to the PHA's public housing rent determination policies and train staff to carry out those policies
 - ____ Informing residents of new policy on admission and reexamination
 - ____ Actively notifying residents of new policy at times in addition to admission and reexamination.
 - ____ Establishing or pursuing a cooperative agreement with all appropriate TANF agencies regarding the exchange of information and coordination of services
 - ____ Establishing a protocol for exchange of information with all appropriate TANF agencies
 - ____ Other: (list below)

D. Reserved for Community Service Requirement pursuant to section 12(c) of the U.S. Housing Act of 1937

13. PHA Safety and Crime Prevention Measures

[24 CFR Part 903.7 9 (m)]

Exemptions from Component 13: High performing and small PHAs not participating in PHDEP and Section 8 PHAs at sites that are not PHAs that are participating in PHDEP and are submitting a PHDEP Plan with this PHA Plan may skip to sub-component D.

1. Describe the need for measures to ensure the safety of public housing residents (select all that apply)

- ____ High incidence of violent and/or drug-related crime in some or all of the PHA's developments
- ____ High incidence of violent and/or drug-related crime in the areas surrounding or adjacent to

- _____ the PHA's developments
- _____ Residents fearful for their safety and/or the safety of their children
- _____ Observed lower-level crime, vandalism and/or graffiti
- _____ People on waiting list unwilling to move into one or more developments due to perceived and/or actual levels of violent and/or drug-related crime
- _____ Other (describe below)

2. What information or data did the PHA used to determine the need for PHA actions to improve safety of residents (select all that apply).

- _____ Safety and security survey of residents
- _____ Analysis of crime statistics over time for crimes committed "in and around" public housing authority
- _____ Analysis of cost trends over time for repair of vandalism and removal of graffiti
- _____ Resident reports
- _____ PHA employee reports
- _____ Police reports
- _____ Demonstrable, quantifiable success with previous or ongoing anticrime/anti drug programs
- _____ Other (describe below)

3. Which developments are most affected? (list below)

B. Crime and Drug Prevention activities the PHA has undertaken or plans to undertake in the next PHA fiscal year

1. List the crime prevention activities the PHA has undertaken or plans to undertake: (select all that apply)

- _____ Contracting with outside and/or resident organizations for the provision of crime- and/or drug-prevention activities
- _____ Crime Prevention Through Environmental Design
- _____ Activities targeted to at-risk youth, adults, or seniors
- _____ Volunteer Resident Patrol/Block Watchers Program
- _____ Other (describe below)

2. Which developments are most affected? (list below)

C. Coordination between PHA and the police

1. Describe the coordination between the PHA and the appropriate police precincts for carrying out crime prevention measures and activities: (select all that apply)

- _____ Police involvement in development, implementation, and/or ongoing evaluation of drug-elimination plan
- _____ Police provide crime data to housing authority staff for analysis and action
- _____ Police have established a physical presence on housing authority property (e.g., community policing office, officer in residence)
- _____ Police regularly testify in and otherwise support eviction cases
- _____ Police regularly meet with the PHA management and residents
- _____ Agreement between PHA and local law enforcement agency for provision of above-baseline law enforcement services
- _____ Other activities (list below)

2. Which developments are most affected? (list below)

D. Additional information as required by PHDEP/PHDEP Plan

PHAs eligible for FY 2000 PHDEP funds must provide a PHDEP Plan meeting specified requirements prior to receipt of PHDEP funds.

- ☐ **Yes** ☐ **No: Is the PHA eligible to participate in the PHDEP in the fiscal year covered by this PHA Plan?**
- ☐ **Yes** ☐ **No: Has the PHA included the PHDEP Plan for FY 2000 in this PHA Plan?**
- ☐ **Yes** ☐ **No: This PHDEP Plan is an Attachment. (Attachment Filename: _____)**

[24 CFR Part 903.7 9 (d) SEE ATTACHMENT (m) 061c01]

15. Civil Rights Certifications

[24 CFR Part 903.7 9 (o)]

Civil rights certifications are included in the PHA Plan Certifications of Compliance with the PHA Plans and Related Regulations.. SEE ATTACHMENT: *PHA Certifications of Compliance*

16. Fiscal Audit

[24 CFR Part 903.7 9 (p)]

1. ☒ **Yes** ☐ **No: Is the PHA required to have an audit conducted under section 5(h)(2) of the U.S. Housing Act of 1937 (42 U.S.C. 1437c(h))?**
(If no, skip to component 17.)
2. ☒ **Yes** ☐ **No: Was the most recent fiscal audit submitted to HUD?**
3. ☐ **Yes** ☒ **No: Were there any findings as the result of that audit?**
4. ☐ **Yes** ☐ **No: If there were any findings, do any remain unresolved?**
If yes, how many unresolved findings remain? _____
5. ☐ **Yes** ☐ **No: Have responses to any unresolved findings been submitted to HUD?**
If not, when are they due (state below)? _____

17. PHA Asset Management

[24 CFR Part 903.7 9 (q)]

Exemptions from component 17: Section 8 Only PHAs are not required to complete this component.

1. Yes No: Is the PHA engaging in any activities that will contribute to the long-term asset management of its public housing stock , including how the Agency will plan for long-term operating, capital investment, rehabilitation, modernization, disposition, and other needs that have **not** been addressed elsewhere in this PHA Plan?

2. What types of asset management activities will the PHA undertake? (select all that apply)

- Not applicable
- Private management
- Development-based accounting
- Comprehensive stock assessment
- Other: (list below)

3. Yes No: Has the PHA included descriptions of asset management activities in the **optional** Public Housing Asset Management Table?

18. Other Information

[24 CFR Part 903.7 9 (r)]

A. Resident Advisory Board Recommendations

1. Yes X No: Did the PHA receive any comments on the PHA Plan from the Resident Advisory Board/s?

2. If yes, the comments are: (if comments were received, the PHA **MUST** select one)

- Attached at Attachment (File name)
- Provided below:

3. In what manner did the PHA address those comments? (select all that apply)

- Considered comments, but determined that no changes to the PHA Plan were necessary.
- The PHA changed portions of the PHA Plan in response to comments
- List changes below:
- Other: (list below)

B. Description of Election process for Residents on the PHA Board

1. ☒ Yes ☐ No: Does the PHA meet the exemption criteria provided section 2(b)(2) of the U.S. Housing Act of 1937? (If no, continue to question 2; if yes, skip to sub-component C.)
2. ☐ Yes ☐ No: Was the resident who serves on the PHA Board elected by the residents? (If yes, continue to question 3; if no, skip to sub-component C.)

3. Description of Resident Election Process

a. Nomination of candidates for place on the ballot: (select all that apply)

- ☐ Candidates were nominated by resident and assisted family organizations
- ☐ Candidates could be nominated by any adult recipient of PHA assistance
- ☐ Self-nomination: Candidates registered with the PHA and requested a place on ballot
- ☐ Other: (describe)

b. Eligible candidates: (select one)

- ☐ Any recipient of PHA assistance
- ☐ Any head of household receiving PHA assistance
- ☐ Any adult recipient of PHA assistance
- ☐ Any adult member of a resident or assisted family organization
- ☐ Other (list)

c. Eligible voters: (select all that apply)

- ☐ All adult recipients of PHA assistance (public housing and section 8 tenant-based assistance)
- ☐ Representatives of all PHA resident and assisted family organizations
- ☐ Other (list)

C. Statement of Consistency with the Consolidated Plan

For each applicable Consolidated Plan, make the following statement (copy questions as many times as necessary)

1. Consolidated Plan jurisdiction: (provide name here) *The State of Mississippi*

2. The PHA has taken the following steps to ensure consistency of this PHA Plan with the Consolidated Plan for the jurisdiction: (select all that apply)

_____ The PHA has based its statement of needs of families in the jurisdiction on the needs expressed in the Consolidated Plan/s.

_____ The PHA has participated in any consultation process organized and offered by the Consolidated Plan agency in the development of the Consolidated Plan.

X_____ The PHA has consulted with the Consolidated Plan agency during the development of this PHA Plan.

_____ Activities to be undertaken by the PHA in the coming year are consistent with the initiatives contained in the Consolidated Plan. (list below)

_____ Other: (list below)

4. The Consolidated Plan of the jurisdiction supports the PHA Plan with the following actions and commitments: (describe below)

D. Other Information Required by HUD

Use this section to provide any additional information requested by HUD.

No other documents or information have been requested at the time of creation of this Agency Plan.

E. Disclaimer of Information

The Canton Housing Authority has assembled, calculated and determined this information to be accurate to the best of it's ability at the time of preparation. The Housing Authority will make modification to this information available, as such becomes known, in the Administrative Office of the Canton Housing Authority located at 496 Dobson Avenue, Canton, Mississippi 39046. Arrangements can be made for special needs or document examination by contacting the office during normal business hours at (601) 859-4032, Monday - Friday 8:00am - 11:45 am & 1:00pm - 5:00 pm, excluding any holidays or special office closure days as determined by the Executive Director and posted at the Administrative Office.

Attachments

Use this section to provide any additional attachments referenced in the Plans.

TABLE OF ATTACHMENTS

1. Capital Fund Program Annual Statement (ms061a01)
2. Capital Fund 5-Year Action Plan (ms061b01)
3. Pet Policy (ms061c01)
4. PHA Certification of Compliance with the PHA Plans and Related Regulations *
5. Certification of Consistency (HUD-50075) *
6. Certification for a Drug-Free Workplace (HUD-50070) *
7. Disclosure of Lobbying Activities (Standard Form-LLL) *
8. Certification of Payments to Influence Federal Transactions (HUD 50071) *
9. Admissions and Continued Occupancy Policy (ms061j01)
10. Tenant Selection and Assignment Plan (ms061k01)
11. Substantial Deviation (ms061l01)

* These items are not include in the electronic submission. They have been forwarded to the HUD filed Office.

Component 7
Capital Fund Program Annual Statement
Parts I, II, and II

Annual Statement
Capital Fund Program (CFP) Part I: Summary

Line No.	Summary by Development Account	Total Estimated Cost
1	Total Non-CGP Funds	
2	1406 Operations	29,320.00
3	1408 Management Improvements	10,200.00
4	1410 Administration	2,220.00
5	1411 Audit	
6	1415 Liquidated Damages	
7	1430 Fees and Costs	
8	1440 Site Acquisition	
9	1450 Site Improvement	162,666.00
10	1460 Dwelling Structures	66,297.00
11	1465.1 Dwelling Equipment-Nonexpendable	
12	1470 Nondwelling Structures	
13	1475 Nondwelling Equipment	22,500.00
14	1485 Demolition	
15	1490 Replacement Reserve	
16	1492 Moving to Work Demonstration	
17	1495.1 Relocation Costs	
18	1498 Mod Used for Development	
19	1502 Contingency	
20	Amount of Annual Grant (Sum of lines 2-19)	293,203.00
21	Amount of line 20 Related to LBP Activities	
22	Amount of line 20 Related to Section 504 Compliance	
23	Amount of line 20 Related to Security	
24	Amount of line 20 Related to Energy Conservation Measures	25,380.00

Annual Statement

Capital Fund Program (CFP) Part II: Supporting Table

Development Number/Name	General Description of Major Work Categories	Development Account Number	Total Estimated Cost
HA-Wide Activities			
HA-WIDE	Operations	1406	29,320.00
	Management Improvements	1408	10,200.00
	Administrative - Salaries for Maintenance	1410	2,220.00
	Maintenance Vehicle	1475	22,500.00

		SUBTOTAL	64,240.00

Annual Statement

Capital Fund Program (CFP) Part II: Supporting Table

Development Number/Name HA-Wide Activities	General Description of Major Work Categories	Development Account Number	Total Estimated Cost
MS-061-01	Vent Hoods	1460	4,267.00
	Handrails	1460	870.00
	Water Heater Blankets	1460	1,090.00
	Pipe Insulation	1460	100.00
	Interior Light Fixtures	1460	2,170.00
	Parking Lot Paving	1450	8,360.00
	Earth Work	1450	3,365.00

		SUBTOTAL	20,222.00

Annual Statement

Capital Fund Program (CFP) Part II: Supporting Table

Development Number/Name	General Description of Major Work Categories	Development Account Number	Total Estimated Cost
HA-Wide Activities			
MS-061-02	Vent Hoods	1460	27,730.00
	Handrails	1460	2,850.00
	Water Heater Blankets	1460	6,700.00
	Pipe Insulation	1460	670.00
	Interior Light Fixtures	1460	14,650.00
	Parking Lot Paving	1450	75,280.00
	Earth Work	1450	30,150.00
	Refridgerators	1460	4,000.00
	Stoves	1460	1,200.00
	Fence	1450	45,511.00

		SUBTOTAL	208,741.00

Annual Statement

Capital Fund Program (CFP) Part III: Implementation Schedule

Development Number/Name HA-Wide Activities	All Funds Obligated (Quarter Ending Date)	All Funds Expended (Quarter Ending Date)
HA-WIDE	12/31/99	
MS-061-01	12/31/99	
MS-061-02	12/31/99	

Optional Table for 5-Year Action Plan for Capital Fund (Component 7)

Complete one table for each development in which work is planned in the next 5 PHA fiscal years. Complete a table for any PHA-wide physical or management improvements planned in the next 5 PHA fiscal year. Copy this table as many times as necessary. Note: PHAs need not include information from Year One of the 5-Year cycle, because this information is included in the Capital Fund Program Annual Statement.

Optional 5-Year Action Plan Tables				
Development Number	Development Name (or indicate PHA wide)	Number Vacant Units	% Vacancies in Development	
MS06101	Pat Doherty Homes	0	0	
Description of Needed Physical Improvements or Management Improvements			Estimated Cost	Planned Start Date (HA Fiscal Year)
Conversion to Heat Pumps			38,000.00	3/1/2001
New Windows			30,000.00	3/1/2002
New Shingles and Insulation			30,000.00	3/1/2003
Security Protection with Gates, Fences, Systems and Personnel			35,000.00	3/1/2004
New Appliances			24,000.00	3/1/2005
Management Improvements			19,000.00	3/1/2005

Optional Table for 5-Year Action Plan for Capital Fund (Component 7)

Complete one table for each development in which work is planned in the next 5 PHA fiscal years. Complete a table for any PHA-wide physical or management improvements planned in the next 5 PHA fiscal year. Copy this table as many times as necessary. Note: PHAs need not include information from Year One of the 5-Year cycle, because this information is included in the Capital Fund Program Annual Statement.

Optional 5-Year Action Plan Tables			
Development Number	Development Name (or indicate PHA wide)	Number Vacant Units	% Vacancies in Development
MS06102	Joe Prichard Homes	0	0
Description of Needed Physical Improvements or Management Improvements		Estimated Cost	Planned Start Date (HA Fiscal Year)
Conversion to Heat Pumps		275,000.00	3/1/2001
New Windows		260,000.00	3/1/2002
New Shingles and Insulation		235,000.00	3/1/2003
Security Protection with Gates, Fences, Systems and Personnel		290,000.00	3/1/2004
New Appliances		150,000.00	3/1/2005
Management Improvements		120,000.00	3/1/2005
Total estimated cost over next 5 years		1,330,000.00	

THE HOUSING AUTHORITY OF THE CITY OF CANTON, MISSISSIPPI
496 DOBSON AVENUE
CANTON, MS 39046

PET POLICY

The Pet Policy set forth herein is reasonably related to the following legitimate interests of the Canton Housing Authority (PHA), including, but not limited to:

- (a) The PHA's interest in providing a decent, safe and sanitary living environment for existing and prospective Residents;
- (b) Protection and preserving the physical condition of the property of the PHA and the housing located thereon; and
- (c) The PHA's financial interests in the property administered by this Housing Authority.

Residents occupying units administered by the Canton Housing Authority shall be allowed to house pets on either a temporary or permanent basis, provided by this provision. The Applicant and any Resident must also provide certification from a licensed medical reference. Only after such certification has been received by this Housing Authority, **in writing**, will a Resident be permitted to keep and maintain a pet. The rules set forth herein specify the procedure for obtaining the necessary approval to keep and maintain a pet on this Housing Authority premises and set forth the rules which govern the keeping of such pets. Residents requesting permission to have a pet will be permitted a limit of one (1) pet per household (Dwelling Unit).

(1) SELECTION CRITERIA:

(a) Management Approval: Prior to a pet being accepted for keeping in a Dwelling Unit the proposed owner must prepare and submit an "Application to Keep a Pet". The Resident and this Housing Authority must enter into a "Pet Agreement".

In addition to executing the "Pet Agreement", the Resident must submit to this Housing Authority documented proof of the proposed pet's health, suitability and acceptability in accordance with provisions outlined in "Standards" below. Pets must be registered with this Housing Authority before the pet is brought onto the premises and annually thereafter.

Registration includes:

- 1. Certificate signed by a licensed veterinarian or designated State or local authority or agent, stating that the pet has received all inoculations required by State or local law;
- 2. Statement signed by a licensed veterinarian that the animal is in good health, has no communicable diseases or pests, and, in the case of dogs and cats, is spayed or neutered. Cats must also be declawed;
- 3. Name, address, and phone number of one or more responsible parties to care for the pet if the owner dies, is incapacitated or unable to care for the pet;
- 4. Execution of a "Pet Agreement" stating that the Resident accepts complete responsibility for the care and cleaning of the pet and acknowledges the applicable rules;
- 5. Pet must be licensed in accordance with applicable State and local laws and regulations.

Registration will be coordinated with the annual reexamination date. Approval for the keeping of pet shall not be extended until the requirements specified above have been met, and in no event will approval of other than the common household pets be extended.

(b). Management Disapproval: This Housing Authority shall refuse to register the pet if:

- 1. The pet is not a common household pet identified more specifically in this policy;
- 2. Pet owner fails to provide complete pet registration information or fails annually to update the registration;
- 3. This Housing Authority reasonably determines, based on the pet owner's habits and practices, that the pet owner will be unable to keep the pet in compliance with pet's temperament may be considered as a factor in determining the prospective pet owner's ability to comply with the pet rules and other Dwelling Lease obligations.

(c). Standards: Common household pets as outlined below will be permitted under the following guidelines:

1. Dogs:

Maximum number - one (1);

Maximum adult weight - twenty (20) pounds, however, if a resident becomes in need of a dog for their handicapped assistance, the weight limit will be increased as necessary;

Must be housebroken;

Must be spayed or neutered;

Must have all required inoculations;

Must wear an appropriately sized muzzle whenever outdoors or when CHA staff or contractors are present in the unit;

Must be licensed as specified now or in the future by State law and local ordinance.

2. Cats:

Maximum number - one (1);
Maximum adult weight - ten (10) pounds, however, this may be increased to fifteen (15) pounds in the case of Resident already owning a cat weighing between 10 and 15 pounds at time of move-in;
Must be declawed;
Must be spayed or neutered;
Must have all required inoculations;
Must be trained to use a litter box or other waste receptacle;
Must be licensed as specified now or in the future by State and local ordinance.

3. Birds:

Maximum number - two (2);
Must be enclosed in cage(s) at all times;
Must have certificate from licensed veterinarian on a yearly basis that bird(s) is/are free of diseases.

4. Fish:

Maximum aquarium size - 20 gallons;
Aquarium must be kept clean.

5. Rodents: **ONLY** guinea pig, hamster, or gerbil)

Maximum number - four (4);
Must be enclosed in cage(s) at all times;
Cage(s) must be cleaned at least once weekly.

(2) PET DEPOSIT:

a. The Resident shall be required to pay to this Housing Authority a refundable deposit as defined below:

1. Dog or Cat: A refundable deposit of \$150.00 (in addition to the required rent security deposit) will be made for the purpose of defraying any costs directly attributable to the presence of a dog or cat; plus a \$10.00 per month "pet fee".

2. The refundable deposit shall be paid in either a lump sum or an initial payment of \$100.00 on or prior to the date the pet is properly registered and brought into the Dwelling Unit, and the remaining \$50.00 on the immediate next rent payment date. Noncompliance in payment of remaining \$50.00 will result in removal of pet and Resident.

3. In addition, a fumigation deposit of \$100.00 must be presented at the time of application. This fumigation fee shall only be refundable upon the termination of tenancy provided the resident has the unit fumigated by a licensed, bonded and insured reputable company, approved in advance by the housing authority, and that any and all costs associated by the fumigation company is paid in full by the family with verification given to the housing authority. This verification must include a receipt, warranty information and lien releases by the fumigation contractor;

3. The refundable deposit shall only be remitted to the resident family if the complete conditions of the dwelling lease and all other policies have been met, to include but not limited to; thirty (30) days written notice to vacate the unit and any offset for repairs or cleaning as a result of the pet have been paid in full.

b. All other allowable pets:

1. A refundable deposit of \$50.00 shall be made for the purpose of defraying all reasonable costs directly attributable to the presence of the pet;

2. The refundable deposit shall be paid in full on or prior to the date the pet is properly registered and brought into the Dwelling Unit.

3. This refundable deposit shall only be remitted to the resident family if the complete conditions of the dwelling lease and all other policies have been met, to include but not limited to; thirty (30) days written notice to vacate the unit and any offset for repairs or cleaning as a result of the pet have been paid in full.

This Housing Authority reserves the right to change or increase the required refundable deposit by amendment to this policy.

c. All reasonable expenses incurred by this Housing Authority as the result of damages directly attributable to the presence of the pet in the complex shall be the responsibility of the Resident;

1. Costs of repairs and replacement to Resident's Dwelling Unit;

2. Fumigation of Resident's Dwelling Unit. Such expenses as a result of a move out inspection shall be deducted from the refundable Pet Deposit and/or the fumigation deposit at move out and the Resident shall be billed and owe any balance due.

d. Resident's liability for damages caused by his/her pet is not limited to the amount of the refundable Pet Deposit; and while the Resident is in occupancy, he/she will be required to reimburse this Housing Authority for the total cost of any/all damages caused by his/her pet;

e. In the event that a Resident shall fail to promptly pay this Housing Authority for the cost of any/all damages caused by his/her pet after being furnished with an itemized invoice of said damages, the Resident shall pay all cost(s) and expenses, including court costs and reasonable attorney(s) fees, in the event legal action is necessary to collect said damages.

(3) PET RULES:

a. Pets must be maintained WITHIN the Resident's Dwelling Unit. When outside the Dwelling Unit dogs and cats MUST be kept on a leash or carried, and under the control of the Resident or other responsible individual AT ALL TIMES.

The pet must be fed and watered inside the Dwelling Unit; and no pet food or water may be left outside the Dwelling Unit at any time. All "Other Allowable Pets" must remain inside the Dwelling Unit at all times;

b. Dogs should be walked (always on a leash) and wearing a muzzle curbed away from the buildings, sidewalks, streets and other common walking areas. The leash must be appropriate for the size and weight of the animal and not to exceed six (6) feet in length. Resident must carry a scoop and plastic bag when walking a pet and clean up after pet by placing waste in tied plastic bag and placing bag in the resident's own trash can. Under no circumstances will pets be allowed to urinate/defecate near the shrubbery and/or trees located on the property.

c. Litter Box Requirements for Cats: Litter from litter boxes shall be disposed of in sealed plastic trash bags and placed on side of street for pick up on normal trash pickup days. Litter shall be changed at least once weekly and waste will be cleaned from box daily. Litter shall NOT be disposed of by being flushed down the toilet. Charges for unclogging the toilet due to the improper disposal of pet waste shall be billed to the Resident. Litter boxes shall be kept INSIDE the Resident's Dwelling Unit at all times.

d. Residents shall assume sole responsibility for liability arising from any injury sustained by any person attributable to his/her pet.

e. Resident agrees to control the noise of his/her pet so that such noise does not constitute a nuisance to other Residents or interrupt their peaceful enjoyment of their Dwelling Units. Failure to control pet noise may result in the removal of the pet from the premises.

f. Any pet that causes bodily injury to any Resident, guest, staff member, or other authorized person on the premises, shall be IMMEDIATELY AND PERMANENTLY REMOVED FROM THE PREMISES WITHOUT PRIOR NOTIFICATION.

g. Dogs shall never be left unattended in any unit for a period in excess of four (4) hours. Cats shall never be left unattended in any Dwelling Unit for a period in excess of twenty-four (24) hours.

h. All Residents shall be responsible for adequate care, nutrition, exercise and medical attention of his/her pet. Any animal not being cared for properly will be removed by Management.

i. Resident must be aware and recognize that other Residents may have chemical sensitivities or allergies related to pets or may be easily frightened and/or disoriented by animals. The Resident agrees to exercise common sense and common courtesy with respect to such other Resident's right to the peaceful and quiet enjoyment of common areas and his/her Dwelling Unit.

j. Resident shall take adequate precautions to eliminate any pet odors within or around the Dwelling Unit and to maintain the Dwelling Unit in a sanitary condition at all times.

k. All dogs and cats must wear a flea and tick collar at all times and must have proper identification as to address of Resident on the collar.

l. Visiting pets, as well as pets of visitors/guests are strictly prohibited, with the exception of handicap assistance pets, which must also be certified as such.

m. Residents are prohibited from feeding or harboring stray animals. The feeding of stray animals shall constitute having a pet without the written permission of this Housing Authority.

n. The expense of deinfestation of fleas in the Resident's Dwelling Unit shall be the responsibility of the Resident.

o. Resident shall not alter his/her Dwelling Unit, patio, or common areas to create an enclosure for his/her pet.

p. At any time a CHA staff member enters the dwelling unit with notice, to include maintenance work, all dogs shall be fitted with an appropriate size muzzle, and shall wear such muzzle until the CHA personnel indicates that the work is complete. All pets must also remain under the resident's control during work and inspections.

(4) PET RULE VIOLATIONS:

a. Violation Notice: If a determination is made, on objective facts supported by written statements, that a Resident has violated rules, written notice will be served on the Resident. The notice shall contain a brief statement of the factual basis for the pet rule(s) alleged to be violated. The notice must also state:

1. That the Resident has five (5) calendar days from the effective date of the service of notice to correct the violation or make written request for a meeting to discuss the violation;
2. That the Resident is entitled to be accompanied by another person of his/her choice at the meeting; and
3. That the Resident's failure to correct the violation, request a meeting, or appear at a requested meeting may result in initiation of procedures to seek termination of the Resident's tenancy.

b. Violation Meeting: If the Resident requests a meeting on a timely basis, this Housing Authority will establish a mutually agreeable time and place for the meeting. The meeting will be scheduled no later than ten (10) calendar days from the effective date of service of notice of the pet rule violation at the meeting and attempt to correct it. As a result of this meeting, this Housing Authority may give the Resident additional time to correct the violation, but this Housing Authority is not required to do so.

c. Notice for Pet Removal: If the Resident and this Housing Authority are unable to resolve the violation in the allotted time, this Housing Authority may serve notice on the Resident at or after the meeting to remove the pet. This notice must:

1. Contain a brief statement of the factual basis for the determination and the pet rule(s) that have been violated;
2. State that the Resident must remove the pet within ten (10) calendar days of the effective date of service of the notice of pet removal; and
3. State that failure to remove the pet may result in initiation of procedures to termination of the Resident's tenancy.

d. Termination of Tenancy: This Housing Authority may initiate procedures for termination of the Resident's tenancy based on a pet rule violation if:

1. The Resident has failed to remove the pet or correct a pet rule violation within the applicable time period specified; and
2. The pet rule violation is sufficient to begin procedures to terminate the Resident's tenancy under the terms of the Dwelling Lease and applicable regulations.

e. Pet Removal: If the health or safety of the pet is threatened by the death or incapacity of the Resident, or by other factors that render the Resident unable to care for the pet, the procedures identified below will be followed. This includes pets which appear to be poorly cared for or dogs which are left unattended for longer than four (4) hours. The situation will be reported to the responsible party designated by the Resident. If the responsible party/ies is/are unwilling or unable to care for the pet or if this Housing Authority, despite reasonable efforts, has been made unable to contact the responsible party/ies, this Housing Authority may contact the appropriate State or local authority and request the removal of the pet.

(5) RESPONSIBLE PARTIES: The Resident will be required to designate two (2) responsible persons for the care of the pet if the health or safety of the pet is threatened by the death or incapacitation of the Resident, or by other factors that render the Resident unable to care for the pet.

(6) INSPECTIONS: This Housing Authority may, after reasonable notice to the Resident, during reasonable hours, enter and inspect the Dwelling Unit, in addition to other regularly scheduled inspections. This Housing Authority may enter and inspect the Dwelling Unit if this Housing Authority has received a complaint alleging that the conduct or condition of the pet in the Dwelling Unit constitutes a nuisance or threat to the health or safety of the occupants of the complex or other persons in the complex or other persons in the community under applicable State or local law.

(7) EMERGENCIES:

a. Vicious Animals: This Housing Authority will be concerned about pets who become vicious or display symptoms of severe illness or demonstrate other behaviors that constitutes an immediate threat to the health or safety of the tenancy as a whole. This Housing Authority will refer these cases to the State or local authority authorized under applicable State or local law to remove these pets who exhibit this behavior.

b. Unit Emergencies: In the event of an emergency which requires response to a Resident's Dwelling Unit by management, maintenance, fire or medical personnel, responding personnel shall not be responsible for locating or returning pets who escape from the Dwelling Unit during the emergency.

c. Building Emergencies: In the event of a building emergency such as fire or flood (but not limited to these particular emergencies), the responding building personnel or outside building personnel (i.e. fire department, managing agent, or others) shall first evacuate Residents and guests/visitors, and then, if possible, pets. This Housing Authority is not responsible for pets unable to be rescued in the event of such an emergency.

(8) HOLD HARMLESS & INDEMNIFICATION:

Each resident of the dwelling unit shall hold harmless and indemnify the Canton Housing Authority, its representatives, agents, employees and contractors from any of the following:

a. Loss/Injury of a Pet: The Canton Housing Authority shall not be responsible for the loss or expiration of the life of any pet. During a Housing Authority unit examination, each and every pet shall be maintained in a cage or locked in a room during the inspection or work period.

b. Loss/Injury by a Pet: If any other person is harmed or is caused to be harmed by the actions of any pet, the owner/applicant of the pet shall indemnify the Housing Authority, its representatives, agents, employees and contractors from any and all liability, court costs, attorney fees and any other costs the court deems just and proper. The lessee shall save harmless the Canton Housing Authority against claims for injuries to persons or property on the premises.

c. Insurance Policy: Each and every resident who has otherwise qualified for the possession of a pet in this public housing, shall obtain an

insurance policy which covers the liability from injury or damage caused by each and every pet. This insurance policy shall set forth liability personal injury limits at a minimum coverage of \$100,000.00 (One hundred thousand dollars and no/100), property damage limits of a minimum of \$10,000.00 (Ten-thousand dollars and no/100). As an integral part of this policy, the Canton Housing Authority must be included as an additional insured, indemnified and held harmless under such insurance policy, at no cost to the Housing Authority. The resident family must bear the full financial responsibility for the maintenance of the pet and their pet insurance. The insurance binder must be presented to this housing authority prior to any pet being permitted to reside in these dwelling units.

This policy becomes effective immediately upon adoption by the Board of Commissioners of the Housing Authority of the City of Canton, Mississippi.

Adopted by the Board of Commissioners of the Housing Authority of the City of Canton, Mississippi, on

_____ by Resolution Number _____.

THE HOUSING AUTHORITY OF THE CITY OF CANTON, MISSISSIPPI
496 DOBSON AVENUE
CANTON, MS 39046

PET AGREEMENT

This Pet Agreement, when executed, becomes an attachment to the Dwelling Lease between _____ and the Canton Housing Authority.

I, _____, certify that:

I have read and received an explanation and understand the Provisions of the Pet Policy and rules of the Canton Housing Authority and agree to comply fully with stipulated provisions;

I understand that violation of these rules may constitute cause for the removal of my pet from the premises, and/or termination of my tenancy; and I accept complete responsibility for the care and cleaning of the pet and my Dwelling Unit # _____ (Resident's initials).

When required by the Canton Housing Authority to remove my pet from the premises, for cause, I agree to accomplish this removal and understand that failure to do so may constitute cause for the initiation of an eviction proceeding.

In the event I want to substitute pets, or if the pet is removed from the unit, or if I add another pet, I realize I will have to reapply for approval of the new pet.

I further understand the terms of hold harmless and indemnification to include, but not limited to:

Each family of the dwelling unit shall hold harmless, indemnify and insure against injury and damage to the Canton Housing Authority, it's representatives, agents, employees and contractors from any of the following:

a. Loss /Injury to a Pet: The Canton Housing Authority shall not be responsible for the loss or expiration of the life of any pet. During a housing authority unit examination, each and every pet shall be maintained in a cage or locked in a room during the inspection or work period.

b. Loss/Injury by a Pet: If any other person is harmed or is caused to be harmed by the actions of any pet, the owner/applicant of the pet shall indemnify the Housing Authority, it's representatives, agents, employees and contractors from any and all liability, court costs, attorney fees and any other costs the court deems just and proper. The lessee shall save harmless the Canton Housing Authority against claims for injuries to persons or property on the premises.

c. Insurance Policy: Each and every resident who has otherwise qualified for the possession of a pet in this public housing, shall obtain an insurance policy which covers the liability from injury or damage caused by each and every pet. This insurance policy shall set forth liability personal injury limits at a minimum coverage of \$100,000.00 (One hundred thousand dollars and no/100), property damage limits of a minimum of \$10,000.00 (Ten-thousand dollars and no/100). As an integral part of this policy, the Canton Housing Authority must be included as an additional insured, indemnified and held harmless under such insurance policy, at no cost to the Housing Authority. The resident family must bear the full financial responsibility for the maintenance of the pet and their pet insurance. The insurance binder must be presented to this Housing Authority prior to any pet being permitted to reside in these dwelling units.

NAME OF RESIDENT (print): _____

ADDRESS (DWELLING UNIT #): _____

COMPLEX NAME: _____

SIGNATURE AND DATE: _____

THE ABOVE NAMED HAS READ, UNDERSTOOD, AND SIGNED THESE RULES IN MY PRESENCE:

WITNESS: NAME: _____

ADDRESS: _____

SIGNATURE AND DATE: _____/_____

EXECUTIVE DIRECTOR OR DESIGNEE: _____/_____

THE HOUSING AUTHORITY OF THE CITY OF CANTON, MISSISSIPPI
496 DOBSON AVENUE
CANTON, MS 39046

APPLICATION TO HAVE A PET

1. Resident: _____

2. Dwelling Unit #: _____ Complex Name: _____

3. Date of Current Dwelling Lease: _____

4. Description of Pet: _____

Type of Pet: _____ Breed: _____ Color: _____
Weight: _____ Estimated Weight & Height at maturity: _____/_____

Aquarium size (If applicable): _____, Type of fish (If applicable): _____

5. Name and address of veterinarian: _____

License number: _____

6. If dog or cat - date of neutering or spaying: _____, If cat, date of declawing: _____

7. Has your pet lived in rental housing before? / / Yes, / / No. If yes, name and phone number of landlord: _____

8. Has your pet ever bitten or injured anyone? If so, describe the incident: _____

9. Name and Address of Insurance Company: _____

10. Insurance Policy Number: _____

This application must be completed and returned when application is made for housing at this Housing Authority, along with two (2) affidavits of Pet Owner's Emergency Absence Agreement. Each must be signed and witnessed by two (2) separate people who are willing to immediately care, and be responsible for, your pet in the event of your absence. The signatures must be notarized.

Each resident of the dwelling unit shall hold harmless and indemnify the Canton Housing Authority, it's representatives, agents, employees and contractors from any of the following:

a. Loss/Injury of a Pet: The Canton Housing Authority shall not be responsible for the loss or expiration of the life of any pet. During a Housing Authority unit examination, each and every pet shall be maintained in a cage or locked in a room during the inspection or work period.

b. Loss/Injury by a Pet: If any other person is harmed or is caused to be harmed by the actions of any pet, the owner/applicant of the pet shall indemnify the Housing Authority, it's representatives, agents, employees and contractors from any and all liability, court costs, attorney fees and any other costs the court deems just and proper. The lessee shall save harmless the Canton Housing Authority against claims for injuries to persons or property on the premises.

c. Insurance Policy: Each and every resident who has otherwise qualified for the possession of a pet in this public housing, shall obtain an insurance policy which covers the liability from injury or damage caused by each and every pet. This insurance policy shall set forth liability personal injury limits at a minimum coverage of \$100,000.00 (One hundred thousand dollars and no/100), property damage limits of a minimum of \$10,000.00 (Ten-thousand dollars and no/100). As an integral part of this policy, the Canton Housing Authority must be included as an additional insured, indemnified and held harmless under such insurance policy, at no cost to the Housing Authority. The resident family must bear the full financial responsibility for the maintenance of the pet and their pet insurance. The insurance binder must be presented to this housing authority prior to any pet being permitted to reside in these dwelling units.

A Veterinarian's Certificate must also be completed by a veterinarian and returned with this application.

THIS IS TO CERTIFY THAT ALL INFORMATION IS ACCURATE TO THE BEST OF MY KNOWLEDGE AND I HAVE READ THE PET POLICY CONTAINING RULES AND REGULATIONS AND FULLY UNDERSTAND THIS CONTRACT. I ACCEPT ALL FINANCIAL RESPONSIBILITY FOR MY PET INCLUDED IN THESE RULES AND REGULATIONS AND ANY/ALL DAMAGES/INJURIES THAT MAY OCCUR BECAUSE OF MY PET.

RESIDENT'S SIGNATURE: _____ DATE: _____

APPROVED BY: _____ DATE: _____
(HOUSING AUTHORITY REPRESENTATIVE)

THE HOUSING AUTHORITY OF THE CITY OF CANTON, MISSISSIPPI
496 DOBSON AVENUE
CANTON, MS 39046

PET OWNER'S EMERGENCY ABSENCE AGREEMENT

I _____
(Non-Resident)

will assume immediate and all responsibility for the pet(s) of: _____
(Resident's name)

who resides at: _____
(Name of Complex, Dwelling Unit Number and Street Name)

should an emergency require his/her absence from his/her unit. I also hereby agree to remove the pet from Resident's premises in order to properly care for the pet(s). As the guardian of the pet in the owner's absence, I shall hold harmless and indemnify the Canton Housing Authority, it's representatives, agents, employees and contractors from any of the following:

a. Loss/Injury of a Pet: The Canton Housing Authority shall not be responsible for the loss or expiration of the life of any pet. During a Housing Authority unit examination, each and every pet shall be maintained in a cage or locked in a room during the inspection or work period.

b. Loss/Injury by a Pet: If any other person is harmed or is caused to be harmed by the actions of any pet, the owner/applicant of the pet shall indemnify the Housing Authority, it's representatives, agents, employees and contractors from any and all liability, court costs, attorney fees and any other costs the court deems just and proper. The lessee shall save harmless the Canton Housing Authority against claims for injuries to persons or property on the premises.

c. Insurance Policy: Each and every resident who has otherwise qualified for the possession of a pet in this public housing, shall obtain an insurance policy which covers the liability from injury or damage caused by each and every pet. This insurance policy shall set forth liability personal injury limits at a minimum coverage of \$100,000.00 (One hundred thousand dollars and no/100), property damage limits of a minimum of \$10,000.00 (Ten-thousand dollars and no/100). As an integral part of this policy, the Canton Housing Authority must be included as an additional insured, indemnified and held harmless under such insurance policy, at no cost to the

Housing Authority. The resident family must bear the full financial responsibility for the maintenance of the pet and their pet insurance. The insurance binder must be presented to this Housing Authority prior to any pet being permitted to reside in these dwelling units.

1. WITNESS: _____ SIGNATURE: _____
(Print Name) (Write Name)

ADDRESS: _____
(Street Address, City, State and Zip Code)

PHONE NUMBER: _____/
(Daytime Hours) (Night Time Hours)

Signed this _____ Day of (Month/Year) _____

* * * * *

2. WITNESS: _____ SIGNATURE: _____
(Print Name) (Write Name)

ADDRESS: _____
(Street Address, City, State and Zip Code)

PHONE NUMBER: _____/
(Daytime Hours) (Night Time Hours)

Signed this _____ day of (Month/Year) _____

ADMISSIONS AND CONTINUED OCCUPANCY POLICY

AND

TENANT SELECTION AND ASSIGNMENT PLAN

CANTON HOUSING AUTHORITY

**496 Dobson Avenue
Canton, Mississippi 39046**

TABLE OF CONTENTS

INTRODUCTION

SECTION I. Eligibility for Admission

SECTION II. Grounds for Denial and Opportunity for Hearing

SECTION III. Selection of Applicants for Admission

SECTION IV. Application for Admission

SECTION V. Occupancy Standards

SECTION VI. Transfer Policy

SECTION VII. Types of Transfers

SECTION VIII. Leasing Dwelling Units

SECTION IX. Orientation of Families

SECTION X. Policies Governing Continued Occupancy

SECTION XI. Notice of Temporary Rent

SECTION XII. Interim Reexaminations

SECTION XIII. Special Reexaminations

SECTION XIV. Misrepresentation by the Applicant or Resident

SECTION XV. Missed Appointments

SECTION XVI. Terminations

SECTION XVII. Definition of Terms

SECTION XVIII. Total Tenant Payment

SECTION XIX. Transition Provisions

SECTION XX. Pet Policy

SECTION XXI. Program Management Plan

SECTION XXII. Adverse Actions

SECTION XXIII. Eviction for Criminal Activity

SECTION XXIV. Tenant Selection and Assignment Plan

SECTION XXV. Compliance with Equal Opportunity Requirements for Posting Required Information

SECTION XXVI. Additional PHA Policies and Charges

INTRODUCTION

1. Mission Statement:

Our goal is to provide drug free, decent, safe, and sanitary housing for eligible families and to provide opportunities and promote self-sufficiency and economic independence for Residents. In order to achieve this mission, we will:

- a. Recognize Residents as our ultimate customer;
- b. Improve PHA management and service delivery efforts through effective and efficient management of PHA staff;
- c. Seek problem-solving partnerships with Residents, community and government leadership;
- d. Apply limited PHA resources to the effective and efficient management and operation of public housing programs.

2. Purpose of Policy:

The purpose of this policy (Admissions and Continued Occupancy and Tenant Selection and Assignment Plan) is to establish guidelines for the Public Housing Authority (PHA) staff to follow in determining eligibility for admission to and continued occupancy of Public Housing. This PHA will make every effort to (a) attain, to the maximum extent feasible, a Resident body in each complex that is composed of families with a broad range of income and to avoid concentrations of the most economically deprived families with serious social problems; (b) preclude admission of applicants whose habits and practices reasonably may be expected to have a detrimental effect on the Residents and/or the complex environment; (c) give a preference in selection of Applicants for residence at this PHA who qualify for a Local Preference, and (d) establish objective and reasonable policies for selection by this PHA among otherwise eligible applicants. The basic guidelines for this policy are governed by requirements of the U. S. Department of Housing and Urban Development (HUD), with latitude for local policies and procedures. The Policies and Procedures governing Admissions and Continued Occupancy are outlined in this policy and these requirements are binding upon Applicants, Residents and this PHA alike. Notwithstanding the above, changes in applicable federal law or regulations shall supersede provisions in conflict with this policy. *Federal Regulations shall mean those found in 24 Code of Federal Regulations (CFR) Part 900.*

3. 504 Equal Access Statement:

For mobility impaired persons -- a copy of this document is kept at our Administrative Office located at 496 Dobson Avenue, which is an accessible facility on an accessible route and can be examined by individuals with disabilities Monday thru Friday between the hours of 8:00 AM - 12:00 Noon and 1:00 PM - 5:00 PM, except when the office is closed on these days for holidays.

For vision impaired persons -- the Authority will provide a staff person to assist a vision impaired person in reviewing this document. Assistance may include: describing the contents of the document, reading the entire document or sections of the document, or providing such other assistance as may be needed. Please call 859-4032 to set up an appointment.

For the hearing impaired -- if any individual with a hearing impairment is interested in examining this document or has questions concerning this document, please call 859-4032 or come to the Administrative Office to set up an appointment. The Authority will provide assistance to the hearing impaired that may include the provision of a sign language interpreter at a time convenient to both the Authority and the hearing impaired individual.

Assistance to insure equal access to this document will be provided in a confidential manner and setting. The disabled individual is responsible for providing his/her own transportation to and from the location where this document is posted (496 Dobson Avenue).

All hearings or meetings required by this document will be conducted in an accessible location with appropriate assistance provided if a disabled individual is involved. The disabled individual is responsible for providing his/her own transportation to and from the hearing or meeting location.

ADMISSION AND CONTINUED OCCUPANCY POLICY

AND

TENANT SELECTION AND ASSIGNMENT PLAN

I. ELIGIBILITY FOR ADMISSION

Any family or individual may apply for housing at the Administrative Office of the Canton Housing Authority located at 496 Dobson Avenue, Canton, MS., between the hours of 9:00 AM - 11:00 AM and 1:30 PM - 4:00 PM, on the second, third and fourth (2nd, 3rd, 4th) Thursday of the month UNLESS application taking is suspended due to the volume of applications currently on file. During periods where application taking is suspended the PHA will maintain a list of names, addresses, and telephone numbers of interested persons. Although this list would not constitute a "waiting list" for occupancy purposes, those interested will be notified when application taking resumes. All those on the list will be notified simultaneously.

A written application for housing must be completed by the Applicant and submitted to the PHA before a household can be considered for low income public housing. In the application shall be set forth ALL information necessary for the PHA to determine whether the family meets the eligibility requirements for admission. EVERY APPLICANT WILL BE REQUIRED TO FURNISH SOCIAL SECURITY NUMBERS AND PROOF OF BIRTH DOCUMENTATION ON ALL FAMILY MEMBERS OVER THREE (3) MONTHS OLD, SIGN CONSENT FORMS FOR RELEASE OF INFORMATION (ALL FAMILY MEMBERS 18 YEARS OF AGE AND OLDER), AND ALL ADDITIONAL FORMS AS REQUIRED BY THE U. S. DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT (HUD) AND THE HOUSING AUTHORITY (PHA).

Sources of information for eligibility determination may include, but are not limited to, the Applicant (by means of interviews or home visits), landlords, employers, family social workers, parole officers, court records, drug treatment centers, clinics, physicians or police departments where warranted by the particular circumstances. Information relative to the acceptance or rejection of an applicant shall be documented and placed in the applicant's file. Such documentation may include reports of interviews, letters, or telephone conversations with reliable sources. As a minimum, such reports shall indicate the date, the source of the information, including the name and title of the individual contacted, and a resume of the information received.

Applicants are not automatically determined eligible to receive federal assistance. An application will not be placed on a waiting list or offered a public housing unit under the following circumstances: If the Applicant's annual family income exceeds the Low and Very Low Income Limits established by HUD and published in the Federal Register, the Applicant will be declared ineligible.

If the Applicant has failed to meet any outstanding requirements for eligibility and is determined ineligible, he/she will be so informed and the reasons stated in writing. The Applicant will be granted ten (10) days from the date stated on the ineligible letter to request an informal meeting. The Applicant may bring any person he/she wishes to represent him/her at the informal meeting. The request for an informal meeting must be submitted in writing and MUST be received by the PHA within the time frame established by the PHA for the meeting.

In addition, under Section 24 CFR 912.3, the PHA is permitted to determine as eligible, single persons living alone or intending to live alone who do not meet any of the definitions of a family (Ref CFR 912.2), if the PHA makes certain that all three of the following requirements are met: (1) Elderly families (including Disabled Persons and Handicapped Persons) and Displaced Persons are given preference over single persons, (2) Near elderly (at least 50 years of age, but below the age of 62) are given preference over single Applicants in developments designated for the elderly, and (3) Single persons are only eligible for one bedroom and/or efficiency units.

Declaration of Citizenship: Section 214 of the Housing and Community Development Act of 1980 prohibits PHAs from making financial assistance available to a person other than United States citizens, nationals, or certain categories of eligible noncitizens in HUD'S assisted housing programs. This Law is referred to as the "Noncitizen Rule" and is effective June 19, 1995.

Once an Applicant becomes a Resident in the PHA's public housing program, the Head of Household must request permission, in writing, to add another person to the Dwelling Lease. The person being added must meet all eligibility requirements before the PHA will approve any additions to the Dwelling Lease.

To be eligible for admission to low-rent public housing operated by this PHA, Applicants must meet ALL the following:

- (a) Applicants must qualify as a Family, as defined herein;
- (b) Applicant's total Annual Income, as defined herein, cannot exceed income limits provided by HUD;
 - (1) Eighty Percent (80%) of the median income for the area for those units that were available for occupancy before October 1, 1981;
 - (2) Fifty Percent (50%) of the median income for the area for those units that became available for occupancy on or after October 1, 1981, unless exception is made by HUD to admit families in the Eighty Percent (80%) of the median income to such units.
- (c) Habits or practices of Applicants must meet PHA standards. Relevant information to be considered when making this determination may include, but is not limited to:
 - (1) An Applicant's past performance in meeting financial obligations, especially rent;
 - (2) A record of disturbance of neighbors, destruction of property, or living or housekeeping habits at prior residences which may adversely affect the health, safety, or welfare of other Residents; and
 - (3) A history of criminal activity involving crimes of physical violence to persons or property and other criminal acts which would adversely affect the health, safety, or welfare of other Residents.
- (d) In the event unfavorable information is obtained relative to habits and practices of Applicants, consideration shall be given to the time, nature, and extent of the Applicant's conduct and to the factors which might indicate a reasonable probability of favorable future conduct of financial prospects, such as:
 - (1) Evidence of rehabilitation;
 - (2) Evidence of the Applicant family's participation in, or willingness to participate in, social service or other appropriate counseling service programs and the availability of such a program;

- (3) Evidence of the Applicant family's willingness to attempt to increase family income and the availability of training or employment programs in the locality.
- (e) Applicants must conform to the occupancy standards as established herein.

Denial of Admission: The PHA is NOT required, nor obligated, to assist families who:

- (a) Owe rent, other amounts, or judgment(s) to any PHA or any other federally subsidized housing program and the Applicant will be declared ineligible. At the PHA's discretion, the Applicant may be declared eligible upon payment of debt, with the date and time of application being the time of payment and meeting other criteria.

(Note: Applicants that owe a PHA or any other federally subsidized program funds will not be processed for occupancy. The applicant must pay the funds prior to the application being processed. After the application is processed, the Applicant must meet all other conditions for occupancy. Repaying funds that are due does not necessarily qualify an Applicant for occupancy. Such payments will be considered along with other factors in the application process. Any money owed to a PHA which has been discharged by bankruptcy shall not be considered in making this determination.)

- (b) Have previously been evicted from public housing.
- (c) Committed acts which would constitute fraud in connection with any federally assisted housing program.
- (d) Did not provide information required within the time frame specified during the application process.
- (e) Convicted of drug-related criminal activity or violent criminal activity.
- (f) Has a history of not meeting financial obligations, especially rent.
- (g) Has a record of disturbance of neighbors, destruction of property, or living or housekeeping habits which may adversely affect the health, safety or welfare of the other Residents.
- (h) Has a history of criminal activity involving crimes of physical violence to persons or property and other criminal activity which may adversely affect the health, safety or welfare of other Residents.
- (i) During the interview process the Applicant demonstrates hostile behavior that indicates that the prospective Applicant may be a threat to the public housing Residents.
- (j) The Applicant family must have properly completed all application requirements, including verifications. Intentional misrepresentation of income, family composition, or any other information affecting eligibility will result in the family being declared ineligible. In the event the misrepresentation is discovered after admission, the Dwelling Lease will be terminated for such misrepresentation.
- (k) The Applicant and all adults must sign a release allowing the PHA to request a copy of a police report from the National Crime Information Center, Police Department or other Law Enforcement Agencies. If the PHA uses the information to deny or terminate assistance the PHA must inform the Applicant.
- (l) If the Applicant is a former Public Housing or Section 8 participant who vacated the unit in violation of his/her Dwelling Lease, he/she will be ineligible for housing at this PHA.
- (m) If the PHA determines that a person is illegally using a controlled substance or abuses alcohol in a way that may interfere with the health, safety, or right to peaceful enjoyment of the premises by other Residents. The PHA may waive this requirement if:
 - (1) The person demonstrates to the PHA's satisfaction that the person is no longer engaging in drug-related criminal activity or abuse of alcohol;
 - (2) Has successfully completed a supervised drug or alcohol rehabilitation program;
 - (3) Has otherwise been rehabilitated successfully; or
 - (4) Is participating in a supervised drug or alcohol rehabilitation program.

(Note: The above list is not intended to be all inclusive. Applicants may be denied admission if the PHA has reason to believe that the conduct of the Applicant has been such as would be likely to interfere with other Residents in such a manner as to diminish their enjoyment of the premises by adversely affecting their health, safety, or welfare or to affect adversely the physical environment or the financial stability of the complex if the Applicant were admitted to the complex.)

If an Applicant is denied admission, the PHA will notify the applicant, in writing, of its determination and inform the Applicant that they have an opportunity for an informal meeting on such determination. The denial letter will allow the Applicant ten (10) calendar days to request (in writing) an informal meeting with the PHA. A PHA representative will hear the appeal and issue a decision within ten (10) calendar days of the meeting.

As a general rule Applicants may be denied admission to public housing for the following time frames:

- (a) Denied admission for one (1) calendar year for the following:
 - (1) Past rental record (bad rent paying habits)
 - (2) Bad housekeeping habits, inside and outside the unit including damages to the dwelling
 - (3) Disturbances
 - (4) Illegal live-ins
 - (5) Demonstrates hostile behavior during the interview process that indicates that the Applicant may be a threat to Residents in the complex.
- (b) Denied admission for three (3) calendar years for the following: Persons evicted from public housing, Indian Housing, or Section 8 programs because of drug-related criminal activity are ineligible for admission to public housing beginning on the date of such eviction. The PHA may waive this requirement if the person demonstrates to the PHA's satisfaction successful completion of a rehabilitation program approved by the PHA, or the circumstances leading to the eviction no longer exists.
- (c) Denied admission for five (5) calendar years for the following:

- (1) Fraud (giving false information on the application is considered fraud);
- (2) An arrest record that indicates that the Applicant may be a threat and/or negative influence on other residents;
- (3) Drug use without evidence of rehabilitation.

(d) Denied admission for ten (10) years for conviction for drug trafficking.

As noted above these time frames are only guidelines and the PHA may deny admission to any individual whose behavior may adversely affect the health, safety or welfare of other Residents or may admit persons who exhibit evidence of rehabilitation.

II. GROUND FOR DENIAL AND OPPORTUNITY FOR HEARING: If the PHA determines that an applicant does not meet the criteria for receiving housing, the PHA must promptly provide the Applicant with written notice of the determination. The notice must contain a brief statement of the reasons for the determination, and state that the Applicant has the right to meet with the PHA's designee to review it. If requested, the meeting must be conducted by a person or persons designated by the PHA. The person designated by the PHA to conduct the informal hearing shall be an impartial person appointed by the PHA other than a person who made the approval of the PHA's action under review or a subordinate of such person. The procedures specified in this section must be carried out in accordance with HUD's requirements. The Applicant may exercise other rights if the Applicant believes that he/she has been discriminated against on the basis of race, color, religion, sex, handicap, age, familial status or national origin.

III. SELECTION OF APPLICANTS FOR ADMISSION

(a) Governing conditions:

- (1) This PHA will give full consideration to preferences set by the Board of Commissioners of the Housing Authority of The City of Canton, MS. and/or as mandated by Federal Regulations;
- (2) Preferences will be extended in the following manner:
 - a. Applicants who are elderly, handicapped and/or disabled;
 - b. Applicants who are employed;
 - c. Applicants who are involuntarily displaced;
 - d. Applicants who are currently living in substandard housing;
 - e. Applicants who are victims of domestic violence;
 - f. Active Military;
 - g. Retired Military;
 - h. Applicants who are paying more than Fifty percent (50%) of family income for rent and utilities;
 - i. Applicants living in overcrowded housing;
 - j. All others.

(3) Resident selection and Applicant processing system shall be:

- a. This Housing Authority will not, on account of race, color, religion, creed, sex, national origin, handicap, age or familial status, deny to any family the opportunity to lease or rent a Dwelling Unit suitable to its needs in any complex of the PHA. Resident selection shall be designed to void concentration of the most economically and socially deprived families in any or all of the PHA's low income housing complexes.
- b. Application Processing System in General. Applications will be taken and filed in a Central Application Pool which will be maintained by bedroom size and date and time of application, and eligibility of preferences. Residents will be selected from among eligible applicants for dwellings of given sizes. Applicants who are determined eligible for Local Admission Preference will be given that preference and it will be so noted that they are eligible for a Local Admission Preference. Applicants claiming the same local admission preference will be selected by bedroom size and date and time. These local admission preferences are given in order of priority as listed above. However, to meet the federal regulations for deconcentration and income-mix targeting, the CHA shall, as necessary, advance any given applicant to the top of the list as provided and allowed by the current and existing laws and regulations governing deconcentration and income targeting within public housing.

IV. APPLICATION FOR ADMISSION

- (a) Information Required: Prior to the admission of each family as a Resident or entry on the waiting list, a written application signed by a responsible member of the family (responsible being 21 years of age or older) shall be obtained. In the case of the Applicant being under the age of 21, emancipation forms signed by a judge of the proper court must be furnished. The application will set forth all data and information necessary for the PHA to determine whether the family meets the eligibility requirements for admission. Verification of employment and income, earned and nonearned (including in-kind income) is needed, including appropriate documentation to substantiate the determination of total family income. Data and/or verifications as essential to substantiate the determination of net family income shall be made a part of the record of each application with all other materials relating to eligibility. In addition to other pertinent information, each "Application for Admission" shall indicate the date of receipt; the determination of the PHA as to eligibility or noneligibility of the Applicant; where eligible, the unit size for which eligible; the preference eligibility; the date of assignment to a Dwelling Unit and identification of unit to which assigned; and, where applicable, the date of the PHA's record with respect to inquiries from families prior to commencement of formal application taking shall indicate, as to each family, the date of inquiry, the name and address, or whatever further information is obtained, determination made, or action taken by the PHA with respect to such family. The registration does not establish the date and time of application for the purpose of determining standing on the waiting list. The PHA's adopted Tenant Selection and Assignment Plan, as accepted by the U. S. Department of Housing and Urban Development, will be posted in the office where applications are taken.
- (b) Changes in Information Provided to PHA: It is the **Applicant's** responsibility to notify the PHA of any information on the application which

changes after the application is completed. Changes in Local Preference status, income, or family composition can alter eligibility or standing on the waiting list. Therefore, Applicants who fail to notify this PHA of changes may adversely affect their eligibility for housing.

- (c) Verification of Eligibility: It is the responsibility of the **Applicant** to provide the PHA with appropriate documentation to determine eligibility. Verification for all types of family income, including but not limited to, wages, social security and SSI payments, retirement pensions, VA pensions, TANF, grants, gifts of money, and child support payments. It is also the **Applicant's** responsibility to provide appropriate documentation of allowable deductions, including but not limited to, child care and medical expenses. As part of the application record of such applicant determined to be eligible for admission, the Executive Director or a designated representative is to certify that, on the basis of the PHA's investigation, the Applicant and his/her family meet all of the conditions governing eligibility. It is the responsibility of the PHA to verify the Applicant's Local Preference eligibility. If the disability/handicap exists, PHA has authorization to verify information regarding an Applicant's disability to determine appropriate accommodation, qualification for a preference, housing assignment and/or income deduction. The

Applicant is not required to reveal the existence

of a disability and the PHA may not inquire about a disability if none is revealed by the Applicant.

- (d) Notification of Eligibility: The PHA shall promptly notify the Applicant in writing of his/her eligibility or ineligibility. Any Applicant determined ineligible for housing based on eligibility factors shall be advised of the specific reason for ineligibility. Eligibility, or ineligibility, for Local Preference will be assigned by the PHA at the time of initial application for Local Preference. The PHA will verify Local Preference just prior to admission.

Applicants may reapply for Local Preference at any time during the application process. This PHA understands that preference, or lack of preference, can change at any time. Applicants will be notified in writing of their preference eligibility or ineligibility based solely on information provided, not verification by the PHA.

- (e) Security Deposits: Before moving into a unit, a Security Deposit must be made to this PHA. The amount of the Security Deposit will be the latest amount adopted by the members of the Board of Commissioners of this PHA.

V. OCCUPANCY STANDARDS

To avoid overcrowding and prevent waste of space, dwellings are to be leased in accordance with the occupancy standards set forth below. In the event, however, there should be dwellings which cannot be filled with families of appropriate size, after all possible efforts have been made to stimulate and obtain applications, eligible families of the most nearly appropriate size will be assigned them with the understanding that the families will be transferred to units of the proper size at the earliest possible date. Nonelderly families should not be admitted to units built for "elderly" occupancy unless it is necessary because of lack of applications from the elderly families for the appropriate size units. Regular units may be occupied by elderly, or nonelderly, families.

<u>NUMBER OF BEDROOMS</u>	<u>NUMBER OF PERSONS</u>	
	<u>MINIMUM</u>	<u>MAXIMUM</u> *
1	1	2
2	2	4
3	4	6
4	6	8

* The Maximum number of persons may be exceeded to permit a child up to two (2) years of age to share the parent's bedroom.

Separate bedrooms will be assigned persons of different generations, as well as a family member who has a verified physical or mental handicap. In determining unit size this PHA will include children expected to be born to pregnant females, children who are in process of being adopted by an adult, children whose custody is being obtained by an adult, children who are temporarily absent from home due to placement in foster care, and foster children. Families will be given an option for a child who is away at school, but lives with the family during school recesses, and if the family opts for space, income of the child will be counted for rent purposes. Space will not be provided for family members in military service. When it is found that the size of the Dwelling Unit is no longer suitable for the family, the family will be required to transfer as soon as a Dwelling Unit of appropriate size becomes available. To the maximum extent possible, needed transfers to Dwelling Units of appropriate size will have precedence over new admissions. The above standards are to be maintained insofar as possible at admission and continued occupancy. However, relaxation from such standards may be approved by the Executive Director if individual circumstances warrant. Relaxations from such standards may be permitted as follows:

- Dwellings shall be so assigned that persons of opposite sex, other than husband and wife, will not occupy the same bedroom, except for minors under the age of five (5) years;
- Three (3) small children of the same sex may share the same bedroom in the larger units;
- Dwellings shall be so assigned as not to require the use of the living room for sleeping purposes;
- Teenagers, regardless of sex, will not be required to share a parent's bedroom;
- In the case of chronic illness, or other physical infirmity, a deviation from the occupancy guidelines, as presented above, is permissible when justified with evidence and documentation from a licensed physician;
- Relaxation of these standards may be approved by the Executive Director if circumstances warrant.
- In no event may a single person be provided a housing unit of two (2) or more bedrooms (except in the case of (e) above).

VI. TRANSFER POLICY: Objectives of the Transfer Policy are:

- To fully utilize available housing resources while avoiding overcrowding by insuring that each family occupies the appropriate size unit;
- To facilitate a relocation when required for modernization or other management purposes;
- To facilitate relocation of families with inadequate housing accommodations;
- To eliminate vacancy loss and other expense(s) due to unnecessary transfers.

VII. TYPES OF TRANSFERS

- (a) *PHA initiated:* The PHA may, at its discretion, transfer Residents because of an uninhabitable unit, major repairs, or other actions initiated by the PHA; (For these types of transfers, the PHA will cover the cost of the transfer pursuant to cost allowed by HUD.)
- (b) *Transfers for Reasons of Health:* Resident may be transferred when the PHA determines that there is a medical need for such transfers, such as inability to negotiate stairs or steps. The Resident will be required to provide a statement from a medical doctor which indicates the condition of the Resident and the PHA reserves the right to make its own evaluation of the situation and documentation. Normally such transfers will be within the Resident's original neighborhood unless the appropriate size and type of unit does not exist in the complex. For this type of transfer, the Resident will be required to pay all of their moving expenses.
- (c) *Convenience Transfers:* The Executive Director or his/her designee may at his/her discretion permit a transfer to another housing complex or public housing Dwelling Unit for the convenience of the Resident for good cause. However, the cost of the transfer will be paid for by the Resident. The Resident is allowed a period of three (3) calendar days to move and turn in the keys to the Dwelling Unit from which they transfer without being charged a penalty. If the move takes more than three (3) days and the keys are not turned in, the Resident will be charged a penalty of \$5.00 per day the keys are not turned in to the PHA. Prior to the transfer, the PHA will perform an inspection on the current unit to determine the amount of charges the Resident will be required to pay as a result of Resident caused damages, if any. The PHA will perform a final inspection with the Resident, on the unit that the Resident transferred from, after the keys are turned in, and a final determination will be made by the PHA staff as to charges that may be due the PHA. For example, the Resident may not have cleaned the unit properly and/or damaged the unit during the moving process. If there are any charges that are due the PHA, as a result of this inspection, the Resident must pay for these damages within 14 calendar days of written notice from the PHA. Request for transfer for convenience must be made *in writing* to the PHA at the Administrative Office stating the reason for the requested transfer. The PHA will issue a decision within 30 calendar days of receipt of the request, and if approved, the transfer policy will apply.
- (d) *Transfers for Over/Under-housed Families to the Appropriate Unit:* The PHA may transfer Resident to the appropriate sized unit and the Resident is obligated to accept such transfers. Transfers will be made in accordance with the following principles:

- (1) Determination of the correct sized dwelling shall be in accordance with the PHA's occupancy guidelines as described herein. The Resident will be responsible for the costs of the move.

Priorities for transfers: All transfers must be either for health reasons, for relocation to an appropriate sized unit, approved convenience transfers, or initiated by the PHA due to modernization work and/or other good cause as determined by the PHA. Priority transfers are as follows:

- a. Transfers for health reasons;
- b. PHA initiated transfers;
- c. Convenience transfers.

Within each priority type, transfers will be ranked by need, then date. The PHA reserves the right to immediately transfer any family who has misrepresented family circumstances or composition and the family will be charged for the move. Failure to pay for these charges will result in termination of the Dwelling Lease.

Transfer Procedures: The PHA shall:

- (a) Prepare a prioritized transfer list, as needed, at re-examination;
- (b) Notify Residents by letter of his/her pending transfer;
- (c) Participate in evaluation of request for transfer based on approved medical reasons;
- (d) Issue final offer of vacant Dwelling Unit as soon as vacancy is identified;
- (e) Issue notice to transfer as soon as vacant Dwelling Unit is available for occupancy;
- (f) Participate in planning and implementation of special transfer systems for modernization and other similar programs;
- (g) Inspect both units involved in the transfer, charging for any Resident damages that is not considered normal wear and tear;
- (h) When the Resident is transferred for modernization, the cost of the transfer shall be paid by the PHA, pursuant to the cost that is allowable by HUD;

In the case of a family being transferred from a unit which is uninhabitable, incorrectly sized or scheduled for major repairs, failure to accept the unit offered will be grounds for eviction. When a Resident declines an offer of a transfer and the Resident requested the transfer, the PHA will notify the Resident, at that time, that the PHA is not obligated to make any subsequent offers. The PHA will notify the Resident that the PHA has discharged its obligations to the Resident and he/she will remain in the unit at his/her own risk, and that the PHA assumes no liability for the Resident's condition.

- (i) Right of PHA in transfer policy: The provisions listed above are to be used as a guide to insure fair and impartial means of assigning units for transfers. It is not intended that this policy shall create a property right or any other type of right for a Resident to transfer or refuse transfer.

VIII. LEASING DWELLING UNITS

- (a) A Dwelling Lease agreement shall contain the names of all members of the household and shall be signed by head (and spouse when applicable), as well as all other household members 18 years of age and older, of each family accepted as a Resident and by an authorized agent of the Housing Authority prior to admission. Head of Household - if under 21 years of age - must have emancipation forms signed by a Judge of the Court.
- (b) If a Resident transfers from one Dwelling Unit to another, a Dwelling Lease addendum must be executed for the Dwelling Unit to be occupied.
- (c) If at any time there is a change in the Resident's status which requires a change in, or amendment of, any provision of the Dwelling Lease, an appropriate rider (Dwelling Lease Addendum) will be prepared and made a part of the existing Dwelling Lease. All copies of such riders will be dated and signed by the Resident and an authorized agent of the PHA. In the case of a "Notice of Rent Adjustment", the form will be signed by the Resident and an authorized agent of the PHA. In the case of the Resident not being available to sign this form within three (3) working days of issuance, it will be signed by an authorized agent of the PHA, mailed first class postage to the Resident's Dwelling Unit address at the

Canton Housing Authority, and so noted on the Administrative office copy.

IX. ORIENTATION OF FAMILIES: The purpose of orientation of families (briefing) is to cover the occupancy requirements for the Resident, as well as, the PHA and will be conducted as follows:

- (a) Once the PHA determines that an Applicant is eligible for housing, and his/her name is next on the waiting list, the PHA shall offer a Dwelling Unit to the Applicant. The Applicant shall be given an opportunity to view the unit prior to the signing of the Dwelling Lease and other documents required before occupancy. After the offer is made and after this viewing, and when the offer is accepted, a PHA representative will schedule an appointment with the prospective Resident, for orientation.

(NOTE: An Applicant can reject an offer one (1) time before losing his/her place on the waiting list. If the offer is refused, his/her application will go to the bottom of the waiting list and the refusal date and time will be so noted on the application. The Applicant will be told of this at the time of refusal of the unit.)

- (b) The applicable deposit, unpaid rent and other charges, (if applicable), will be collected as soon as possible after the briefing is scheduled, and before the briefing is held. At no time will a move-in be allowed before the security deposit and rent due is paid in full, (with the exception of a person who is elderly, disabled or on fixed income per the decision of the Board of Commissioners of this PHA. In this case, ½ of the security deposit must be paid before move-in and the other ½ of the security deposit will be paid with the immediate next month's rent).
- (c) At the briefing, the Lease and Grievance Procedure is explained in detail to the applicant(s) (there can be more than one family at the briefing).
- (d) The signing of ALL required documents is to be privately handled at the end of each briefing;

- (1) The required occupancy forms are explained at that time and the Dwelling Lease is signed by the Applicant and the PHA;
- (2) Appointment for move-in is scheduled at the end of the lease signing.

- (e) All adult family members are required to attend the briefing when they are initially accepted for occupancy. No family will be housed if they have not attended this briefing. Failure to attend a scheduled briefing (without written notice to the PHA) will result in the family's application being placed in the inactive file and the family may be required to reapply for assistance. Applicants who provide prior notice of an inability to attend a briefing will be rescheduled. Failure of an applicant to keep a scheduled check-in, without good cause, may result in the cancellation of the occupancy process and the Applicant required to reapply for assistance.

- (f) Format of Briefing: The Applicant will be provided a copy of the Dwelling Lease, along with the enclosures. The provisions of the documents are explained to the Applicant in full. The adult member(s) will be required to execute the Dwelling Lease prior to admission. One executed copy will be furnished the Applicant and the original executed copy is to be retained in the Resident file established for the family in the Administrative Office.

When a household transfers to another unit at this PHA, a rider (with all required pertinent information) will be executed for the new unit. If at any time during residency any other changes in the Resident's status results in the need to change or amend any provision of the Dwelling Lease, a rider will be executed. This rider will be signed by both the Resident and a PHA representative. A duplicate form of acknowledgment and understanding which lists all items of which the Resident has been informed shall be signed by the Resident and the PHA representative. A copy of this rider will be attached to the Resident's copy of the Dwelling Lease along with copies of items as referred to an executed copy maintained in the Resident's file in the Administrative Office.

X. POLICIES GOVERNING CONTINUED OCCUPANCY

- (a) Annual Recertification of Rent, Dwelling Size and Eligibility:

- (1) Reexamination of Residents will be scheduled on an annual basis as follows: Each family must sign an "Application for Continued Occupancy" form and furnish information as required by the PHA to determine eligibility, dwelling size, accommodations, and rent. Residents will be given reasonable notification (at least 30 calendar days) in writing of the results of the reexamination and the effective date of any change.

Pat Doherty Homes	-	MS061001	-	July 1
Joe Prichard Homes	-	MS061002	-	July 1

- (2) The Dwelling Lease specifies the action to be taken following the annual reexamination and also specifies the actions which may be taken by both the Resident and the PHA if circumstances change between admission and annual reexaminations. (The Dwelling Lease, as adopted by the Board of Commissioners of this PHA is attached as Exhibit I.) In the event of failure or refusal of the Resident to supply needed information to this PHA in a timely (within 15 calendar days) and accurate manner, the Dwelling Lease may be terminated.

- (b) Initial Determination, Verification, and Reexamination of Family Income and Composition:

- (1) Initial Determination and Reexamination: The PHA shall be responsible for determination of eligibility for admission, for determination of Annual Income, Adjusted Income and Total Tenant Payment and for reexamination of Family Income and composition at least annually as provided in pertinent program regulations and handbooks. As used in this part, the "effective date" of an examination or reexamination refers to:

- a. In the case of an examination for admission, the effective date of initial occupancy, and
- b. In the case of a reexamination of an existing Resident, the effective date of the redetermined Total Tenant Payment.

- (2) Verification: As a condition of admission to, or continued occupancy of, any assisted Dwelling Unit under the Public Housing Program, the PHA shall require the family head, and other such family members as it designates, to execute a HUD approved release and consent form

authorizing any depository or private source of income, credit reference, any Federal, State or local agency, and any other agency, organization or referenced party necessary, to furnish or release to the PHA and to HUD such information as the PHA or HUD determines to be necessary.

The PHA shall also require the family to submit directly documentation determined to be necessary. Information or documentation shall be determined to be necessary if it is required for purposes of determining or auditing a family's eligibility to receive housing assistance, for determining the family's adjusted income or Tenant Rent for verifying related information, or for monitoring compliance with equal opportunity requirements. The use of disclosure of information obtained from a family or from another source pursuant to this release and consent shall be limited to purposes directly connected with administration of this part or applying for assistance. All factors affecting eligibility and the family's payment must be verified. Three methods of verification are acceptable. They are, in the order of acceptability - *Third Party: Written or Oral* - (Direct contact with a reliable source); *Review of documents*: Only when third party verification is not possible; *Family Certification*: (notarized statement): When third party verification or review of documents is not possible. Verification procedures for determining eligibility, suitability, preference and income are in place. Third party verification is used in all instances for eligibility and income. This includes, but is not limited to: contact with employers and other sources of income, prior landlords, credit references, personal references, etc. Preference claimed for living in substandard housing is verified by home visit; other Local Preferences through review of pertinent records. Allowable income deductions are verified in the same manner as income and eligibility. Verification of income must not be older than 120 days. For purposes of verification, the following may be used: (a) "Verification of Employment" for wage earners; (b) Verification of public assistance for those persons who receive public assistance; (c) Documentation of exceptional medical and/or other expenses (elderly family status); (d) Verifications of assets (savings, stocks, bonds, etc.); (e) Birth Certificates; and (f) Other means or sources of income verification as acceptable by the PHA.

(c) Special Situations: Various unusual circumstances arise during occupancy which are addressed as follows:

- (1) If the Lessee dies or moves out of public housing, the remaining member(s) of the family listed on the Dwelling Lease ARE NOT automatically eligible to remain in the Dwelling Unit unless remaining members signed the Dwelling Lease and are at least 21 years of age. If the remaining member(s) did not sign the Dwelling Lease, the PHA will consider them as it would any other new applicant.
- (2) Disabled individuals who lose his/her disabled status after admission to housing will no longer qualify for certain deductions. An interim reexamination will be done.
- (3) A live-in aide would not be considered a remaining member of the family for occupancy purposes.
- (4) A person, or person(s), joining a family already in occupancy must meet the same standards of Resident suitability used for Applicants. This PHA will determine that the person(s) meet its standards prior to adding that person(s) name to the Dwelling Lease.

(d) Rent Collection: Rent is due in full the first day of the month unless rent is over \$300.00 per month. In that case, four (4) even payments (amounting to the monthly rent) will be due by Monday of each week beginning the first Monday of the month. In all other cases, partial rent payments WILL NOT be accepted - unless - the Resident is paying on a repayment agreement set up to pay back rent owed the PHA. If not paid by the seventh (7th) calendar day of the month, rent is considered late - unless the 7th day falls on a holiday or weekend. In that case the rent will be due on the immediate following work day. Residents will be sent a late notice on the immediate following day advising that rent is past due and assessing a late charge. This late charge will be set by the Board of Commissioners of this PHA as a resolution. From the time rent is late, Residents are given an additional fourteen (14) days, as required by law, before this PHA files in court for rent, including all monies owed the PHA and for eviction. If a judgment is received in favor of the PHA, it is for all monies owed the PHA, including court costs.

(e) Grievance Procedure: This PHA will follow the *Grievance Procedure* as set forth in Exhibit II (attached) in handling all Resident grievances. A copy of the *Grievance Procedure* is posted on the bulletin board at the Administrative Office of the PHA as well as attached to the Dwelling Lease.

XI. NOTICE OF TEMPORARY RENT: On occasions, the PHA is required to compute rent based on information that is supplied by the Resident and third party information that has not or will not be provided by the employer. When this situation occurs, the PHA will compute a temporary rent based on the information available. Once the information is verified the Resident will be notified in writing. If an underpayment was made based on the information provided, the Resident will have fourteen (14) calendar days from the date of the PHA notification to pay the additional amount specified. If the Resident has made an overpayment, that amount will be credited to the Resident's account. The Head of Household and Spouse (if applicable) and a PHA representative will sign this Notice of Temporary Rent and it is filed in the Resident's folder in the Administrative Office and a copy given to the Resident.

XII. INTERIM REEXAMINATIONS

RESIDENTS ARE REQUIRED TO REPORT "IN WRITING" TO THIS PHA EVERY INCREASE OR DECREASE IN HOUSEHOLD INCOME, HOUSEHOLD SIZE, AND/OR RESOURCE(S) WITHIN TEN (10) CALENDAR DAYS OF THE CHANGE.

(a) Governing Conditions:

- (1) Verification procedures for interim reexamination are the same as those for annual reexaminations;
- (2) Residents will be notified of any reexamination results as follows:
 - a. Increases in rent are effective the first day of the month after thirty (30) days from the date of the "Notice of Rent Adjustment" to the Resident regarding that action;
 - b. Decreases in rent are effective the first day of the month immediately following the change.

(b) Penalties for Failure to Report Changes: If it is found that a Resident has misrepresented, or failed to report, facts upon which rent is based so that the Resident is paying less than he/she should be paying, the increase in rent will be made retroactive to the date the increase of income became effective. The Resident will be required to pay the difference between the rent paid and the amount that should have been paid. In

addition, the Resident may be subject to civil and criminal penalties. Misrepresentation is a **SERIOUS** Dwelling Lease violation which can result in eviction. Failure to report ALL changes in income, household size and resources is considered **FRAUD** and a criminal offense and will be dealt with as such.

XIII. SPECIAL RE-EXAMINATIONS: Special re-examinations are prescheduled extensions of admission or continued occupancy determinations, and will be considered for the following reasons:

- (a) If it is impossible to determine annual family income accurately due to instability of family income and/or family composition, a temporary determination of income and rent will be made and a special re-examination shall be scheduled for thirty (30), sixty (60) or ninety (90) calendar days, depending on the circumstances. The Resident will be notified, in writing, of the date of the special re-examination.
- (b) If the family income can be anticipated at the scheduled time, the re-examination shall be completed and appropriate actions taken. If a reasonable anticipation of income cannot be made, another special re-examination shall be prescribed and the same procedure followed as stipulated in the preceding paragraph until a reasonable estimate can be made.
- (c) Rents determined at special re-examinations shall be made effective as required by regulations.

XIV. MISREPRESENTATION BY THE APPLICANT OR RESIDENT: If an Applicant or Resident is found to have made willful misrepresentations which resulted in the Applicant or Resident being classified as eligible, when, in fact, they were ineligible, Applicant will be declared ineligible and the Dwelling Lease and/or application will be terminated because of the misrepresentation by the Applicant/Resident. If such misrepresentation resulted in Resident paying a lower rent than was appropriate, Resident shall be required to pay the difference between the actual payments and the amount which should have been paid. In justifiable instances, the PHA may take such other actions as it deems appropriate, including referring the Resident to the proper authorities for possible criminal prosecution.

XV. MISSED APPOINTMENTS: An Applicant or Resident who fails to keep an appointment without notifying the PHA and without re-scheduling the appointment shall be sent a notice of termination of the process for failure to supply such certification, release of information or documentation as the PHA or HUD determines to be necessary (or failure to allow the PHA to inspect the Dwelling Unit at reasonable times and after reasonable notice, if applicable) in the following situations:

- (a) Complete Application
- (b) Bringing in Verification Information
- (c) Briefing prior to Occupancy
- (d) Leasing Signature
- (e) Inspections
- (f) Recertification
- (g) Interim Adjustment
- (h) Other Appointments or Requirements to bring in Documentation as Listed in this Plan
- (i) Scheduled Counseling Sessions
- (j) Move-In Appointments

Process When Appointment(s) Are Missed: For most of the functions above, the family may be given two (2) appointments:

- (a) If the family does not appear or call to reschedule the appointment(s) required, the PHA may begin termination procedures. The applicant or resident will be given an opportunity for an informal meeting or hearing, as appropriate pursuant to the grievance process.
- (b) If the representative of the PHA and/or Hearing Officer makes a determination in favor of the Applicant/Resident, the PHA will comply with the decision unless the provisions of the Grievance Procedure is applicable to the Hearing Officer's decision;

Letters Mailed to Applicants by the PHA: If an Applicant claims they did not receive a letter mailed by the PHA, that requested the Applicant to provide information or to attend an interview, the PHA will determine whether the letter was returned to the PHA. If the letter was not returned to the PHA, the applicant will be assumed to have received the letter. If the letter was returned to the PHA and the Applicant can provide evidence that they were living at the address to which the letter was sent, the Applicant will be reinstated with the date and time of the application in effect at the time the letter was sent. Applicants must notify the PHA, in writing, if their address changes during the application process.

XVI. TERMINATIONS: This PHA is committed to providing decent, safe, and sanitary housing to all Residents residing in the housing it administers. This PHA will evict any Resident who causes harm to other Residents, employees, security personnel, or to the complex environment.

- (a) Evictions by the Housing Authority: The following are *SOME* of the reasons this PHA will file for Resident eviction in accordance with the Dwelling Lease:
 - (1) Destruction of property;
 - (2) Unclean and/or unsanitary housekeeping,
 - (3) Illegal activity,
 - (4) Unauthorized persons living in the unit who are not visitors,
 - (5) Failure to respond to notices or any repeated notice and not to abide by PHA policies;
 - (6) Refusal to sign forms as required by the regulations of HUD and/or the Canton Housing Authority;
 - (7) Repeated violation of regulations (A written warning will be furnished the Resident informing them that the next violation will result in eviction from the unit and termination of the Dwelling Lease), and
 - (8) Failure to comply with any/all regulations as required, including, but not limited to, payment of all funds due the PHA.
- (b) Visitors: Families are welcome to have visitor(s)/guest(s), *HOWEVER*, any visitor/guest who stays longer than ten (10) days, must be reported to the PHA. If visitors/guests are not reported, this PHA will presume that they are unauthorized household members not on the Dwelling

Lease, and eviction proceedings will be initiated. Residents are reminded that they are responsible for the actions of their visitors/guests and for any damages done by their visitors/guests.

- (c) **Terminations by the Resident:** Resident may terminate the Dwelling Lease by notifying the PHA in writing thirty (30) days in advance of vacating the premises. Noncompliance will result in the loss of the Security Deposit.

XVII. DEFINITION OF TERMS

1. **Adjusted Family Income:** Adjusted income is annual gross income less:

- (a) \$480.00 for each dependent under 18 years of age;
- (b) \$480.00 for each dependent 18 years of age and older when dependent is a student (must be verified);
- (c) \$400.00 for any Elderly Family;
- (d) For any family that is not an Elderly Family, but has a member with a handicap or disability (other than the Head of Household or Spouse), Handicapped Assistance Expenses in excess of three (3) percent of an Annual Income is allowed, but this allowance may not exceed the employment income received by family members who are not 18 years of age or older as a result of the assistance to the member with a handicap or disability;
- (e) For any Elderly Family:
 - 1. That has no Handicapped Assistance Expenses, an allowance for medical expenses equal to the amount by which the Medical Expenses exceed three (3) percent of Annual Income;
 - 2. That has Handicapped Assistance Expenses greater than or equal to three (3) percent of Annual Income, an allowance for Handicapped Assistance Expenses computed in accordance with paragraph (4) of this section, plus an allowance for medical expenses that is equal to the Family's Medical Expenses;
 - 3. That has Handicapped Assistance Expenses that are less than three (3) percent of Annual Income, an allowance for combined Handicapped Assistance Expenses and medical expenses that is equal to the amount by which the sum of these expenses exceeds three (3) percent of Annual Income; and
- (f) **Reasonable** Child Care expenses for children under thirteen (13) years of age .

2. **Adult:** A person who has reached his/her 21st birthday or 18 years of age and married (NOT COMMON LAW), or who has been relieved of the disability of non-age (emancipation) by court. Only persons who are adults shall be eligible to enter into a lease agreement for occupancy.

3. **Alien:** A person born in a foreign country, who owes his/her allegiance to that country.

4. **Annual Family Income:** Annual Income is the anticipated Gross Income from all sources received by the Head of Household, Spouse (even if temporarily absent) and by each additional member of the family, including all net income derived from assets, for the twelve (12) month period following the effective date of initial determination or reexamination of income, exclusive of certain types of income as provided for in paragraph (2) of this section.

- (a) Income includes, but is not limited to:

- (1) The full amount, before any payroll deductions, of wages and salaries, overtime pay, commissions, fees, tips, and bonuses, and other compensation for personal services;
- (2) The net income from operation of a business or profession. Expenditures for business expansion or amortization of capital indebtedness shall not be used as deductions in determining net income. An allowance for depreciation of assets used in a business or profession may be deducted, based on straight line depreciation, as provided in Internal Revenue Service regulations. Any withdrawal of cash or assets from the operation of a business or profession will be included in Income, except to the extent the withdrawal is reimbursement of cash or assets invested in the operation by the family;
- (3) Interest, dividends, and other net income of any kind from real or personal property. Expenditures for amortization capital indebtedness shall not be used as a deduction in determining net income. An allowance for depreciation is permitted only as authorized in paragraph (1) b of this section. A withdrawal of cash or assets from an investment will be included in income, except to the extent the withdrawal is reimbursement of cash or assets invested by the family. Where the family has net family assets in excess of \$5,000.00, Annual Income shall include the greater of the actual income derived from all net family assets based on the current passbook savings rate, as determined by HUD.
- (4) The full amount of periodic payments received from Social Security, annuities, insurance policies, retirement funds, pensions, disability or death benefits and other similar types of periodic receipts, including a lump sum payment for the delayed start of a periodic payment - with the exception of Social Security which is to be excluded;
- (5) Payment in lieu of earnings, such as unemployment and disability compensation, worker's compensation, and severance pay (see paragraph (1) d above).
- (6) Welfare assistance payments or other payments to families or individuals based on need, that are made under programs funded separately or jointly by Federal, State, or local governments. If the welfare assistance payment includes an amount specifically designated for shelter and utilities that are subject to adjustment by the welfare assistance agency in accordance with the actual cost of shelter and utilities, the amount of welfare assistance income to be included as income shall consist of:
 - (a) The amount of the allowance or grant exclusive of the amount specifically designated for shelter or utilities, plus
 - (b) The maximum amount that the welfare assistance agency could in fact allow the family for shelter and utilities. If the family's welfare assistance is ratably reduced from the standard of need by applying a percentage, the amount calculated under this paragraph shall be the amount resulting from one application of the percentage;
- (7) Periodic and determinable allowances, such as alimony and child support payments, and regular contributions or gifts received from persons not residing in the Dwelling Unit;
- (8) All regular pay, special pay and allowances (such as longevity, overseas duty, rental allowances for dependents, etc.) received by a member of the Armed Forces (whether or not living in the unit) who is head of the household, spouse, or other family member whose

dependents are residing in the unit (exception: see *Hazardous Duty* herein).

- (9) Any earned income tax credit to the extent it exceeds income tax liability. The maximum tax credit is \$550.00;
- (10) Relocation payments made pursuant to Title II of the Uniform Relocation Assistance and Real Property Acquisitions Policies Act of 1970.

(b) Annual Income does not include the following:

- (1) Income from employment of children (including foster children) under eighteen (18) years of age;
- (2) Payments received for the care of foster children;
- (3) Lump sum payments received by a family such as inheritance and insurance settlements (including payments under health and accident insurance and worker's compensation) are considered assets. Capital gains and settlements of personal or property losses are also considered assets;
- (4) Amounts received by the family that are especially for, or in reimbursement of, the cost of medical expenses for any family member;
- (5) Income of a live-in aide, as defined in this section;
- (6) Amounts of educational scholarships paid directly to the student or the educational institution, and amount paid by the Government to a veteran for use in meeting the cost of tuition, fees, books, equipment, materials, supplies, transportation, and miscellaneous personal expenses of the student. Any amount of such scholarship not used for the above purposes is counted as income;
- (7) The special pay to a family member serving in the Armed Forces who is exposed to hostile fire;
- (8) Amounts received under training programs funded by the U. S. Department of HUD;
- (9) Amounts received by a disabled person that are disregarded for a limited time for purposes of SSI eligibility and benefits because they are set aside for use under a Plan to Attain Self-Sufficiency (PASS);
- (10) Amounts received by a participant in other publicly assisted programs which are specifically for, or in reimbursement of, out-of-pocket expenses incurred (special equipment, clothing, transportation, child care, etc.) and which are made solely to allow participation in a specific program;
- (11) Temporary, nonrecurring or sporadic income (including gifts);
- (12) Amounts specifically excluded by any other Federal Statute from consideration as income for purposes of determining eligibility or benefits under a category of assistance programs that includes assistance under the United States Housing Act of 1937. A notice will be published in the Federal Register and distributed to housing authorities identifying the benefits that qualify for this exclusion. Updates will be published and distributed when necessary. As of June 1, 1993, the following list of program benefits is the comprehensive list of benefits that currently qualify for the income exclusion stated in 24 CFR 215.21(c)(11), 236.3(c)(11), 813.106(c)(11), 905.102, and 913.106(c)(11) (including incremental increases in income for State or local employment training programs):
 - (a) The value of the allotment provided to an eligible household under the Food Stamp Act of 1977 (42 U.S.C. 2017(b));
 - (b) Payments to Volunteers under the Domestic Volunteer Services Act of 1973 (42 U.S.C. 5044(g), 5058);
 - (c) Payments received under the Alaska Native Claims Settlement Act (43 U.S.C. 1626(a));
 - (d) Income derived from certain submarginal land of the United States that is held in trust for certain Indian Tribes (25 U.S.C. 459(e));
 - (e) Payments or allowances made under the Department of Health and Human Services' Low-Income Home Energy Assistance Program (42 U.S.C. 8624(f));
 - (f) Payments received under programs funded in whole or in part under the Job Training Partnership Act (29 U.S.C. 1552(b));
 - (g) Income derived from the disposition of funds of the Grand River Band of Ottawa Indians (Pub. L. 94-540, 90 Stat. 2503-04);
 - (h) The first \$2,000.00 of per capita shares received from judgment funds awarded the Indian Claims Commission or the Court of Claims (25 U.S.C. 1407-08) or from funds held in trust for an Indian tribe by the Secretary of the Interior (25 U.S.C. 117(b), 1407);
 - (i) Amounts of scholarships funded under Title IV of the Higher Education Act of 1965, including awards under the Federal work-study program or under the Bureau of Indian Affairs student assistance programs, that are used to cover the cost of attendance at an educational institution (24 CFR 215.1 (c)(6), 813.106(c)(6), 913.106(c)(6), and 20 U.S.C. 1087 uu);
 - (m) Payments received from programs funded under Title V of the Older Americans Act of 1965 (42 U.S.C. 3056(f));
 - (n) Payments received on or after January 1, 1989, from the Agent Orange Settlement Fund or any other fund established pursuant to the settlement in the *In Re Orange* product liability litigation M.D.L. No. 381 (E.D.N.Y.);
 - (o) Payments received under the Maine Indian Claims Settlement Act of 1980 (Pub. L. 96-420, 94 Stat. 1785);
 - (p) The value of any child care provided or arranged (or any amount received as payment for such care or reimbursement for costs incurred for such care) under the Child Care and Development Block Grant Act of 1990 (42 U.S.C. 985q);
 - (q) Earned income tax credit (EITC) refund payments received on or after January 1, 1991 (26 U.S.C. 32 (j));
 - (r) Relocation payments made pursuant to Title II of the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970 (42 U.S.C. 4636).
 - (s) Compensation from State or local employment training programs and training of a family member as resident Management staff. Amounts excluded by this provision must be received under employment training programs with clearly defined goals and objectives, and are excluded only for a limited period as determined in advance by the PHA.
 - (t) For all initial determinations and re-examinations of income carried out on or after April 23, 1993, reparation payments paid by a foreign government pursuant to claims filed under the laws of that government by persons who were persecuted during the Nazi era.
 - (u) Earnings in excess of \$480.00 for each full-time student 18 years old or older (excluding the head of household and spouse).
 - (v) Adoption assistance payments in excess of \$480.00 per adopted child.
 - (w) Amounts received by the family in the form of refunds or rebates under State or local law for property taxes paid on the Dwelling Unit.
 - (x) Amounts paid by a State agency to a family with a developmentally disabled family member living at home to offset the cost of services and equipment needed to keep the developmentally disabled family member at home.

If it is not feasible to anticipate a level of income over a twelve (12) month period, the income anticipated for a shorter period may be annualized,

subject to a redetermination at the end of the shorter period.

5. **Applicant:** Any person who submits an application for housing requiring PHA approval as a condition of eligibility.
6. **Basic Eligibility:** An Applicant who meets all of the eligibility requirements of the housing assistance for which an application is made in order to obtain the housing assistance. At a minimum, the Applicant must be a family, and must be income-eligible. Eligible Applicants include single persons who are not elderly persons, or displaced persons, or persons with disabilities.
7. **Break-Ins:** A bona fide attempt at burglary which is reported to the police department and subject to verification by written police reports furnished by the Resident.
8. **Broad Range of Income:** A range of income representative of all Low-and Very Low-Income Families in each of the PHA'S area of operation. The Broad Range of Income provides rent ranges in amounts that must be achieved to assure financial stability of the PHA and comply with the law requiring serving a cross section of Low- and Very Low-Income Families. This enables the PHA to avoid concentration of the most economically and socially deprived Families in any one or all of its complexes.
9. **Ceiling Rent:** A "cap" or maximum rent for higher income families to transition these families into the private market. The Section 8 FMR or 95 percentile may be used to establish Ceiling Rents for a Dwelling Unit.
10. **Child:** A member of the family, other than the family head or spouse, who is under 18 years of age, including foster-children.
11. **Child Care Expenses:** Child Care Expenses are amounts anticipated to be paid by the family for the care of children under thirteen (13) years of age during the period for which Annual Income is computed, but only when such care is necessary to enable a family member to child care expenses which are necessary to permit a family member to **actively seek employment, be gainfully employed or to further his/her education** and only to the extent such amounts are not reimbursed. In the case of child care necessary to permit employment, the amount deducted must be verified and reflect reasonable charges and shall not exceed the amount of income received from such employment. The PHA will not normally determine child care expenses as necessary when the household contains an additional unemployed adult who is physically capable of caring for the child/children. An example of an exception may be an unemployed adult that is not capable of caring for a child because of some type of disability and/or handicap. The Head of Household must document the disability/handicap that prevents the adult from providing child care.
12. **Child Custody:** An Applicant/Resident family who does not have full custody of a child/children may only claim a child as a dependent by the following: (a) The Applicant/Resident must have primary custody of the child, or (b) The Applicant/Resident must provide sufficient evidence that if the Applicant were admitted to public housing the child would reside with the Applicant (NOTE: The same child cannot be claimed by more than one Applicant (i.e. counted more than once in order to make two (2) singles eligible)).
13. **Citizen:** A citizen or national of the United States.
14. **Complex for Elderly or Handicapped Families:** A complex or any building within a mixed-use complex that is designed for occupancy by the Elderly or Handicapped at its inception (and that has retained that characteristic), or although not so designated, for which the PHA given preference in Tenant Selection (with HUD approval) for all units in the complex (or a building with a mixed-use complex) to Elderly or Handicapped Families;
15. **Confined Family Member:** A household member who is confined to a nursing home, or hospital, on a long-term basis. In this situation, the PHA will remove the family member's name from the Dwelling Lease, exclude the income, and not take any deductions for the individual.
16. **Consent Form(s):** Form(s) approved by HUD to be signed by all applicants and participants for the purpose of obtaining employee income information from employers; wage and claim information from SWICAs; return information from the Social Security Administration (including wages, net earnings from self-employment; payments of retirement income as referenced at Section 6103(1)(7)(A) of the Internal Revenue Code (26 U.S.C. 6103)); and return information for unearned income (i.e. interest and dividends) from the Internal Revenue Service as referenced at Section 6103(1)(7)(B) (26 U.S.C. 6103). Also, the consent forms may authorize the collection of other information from Applicants or participants to determine eligibility or level of benefits as provided in 24 CFR 913.109. The consent form expires after a limited amount of time as specified on the form.
17. **Deductions:** Deductions and exemptions are limited to those as described herein.
18. **Dependent:** A member of the family household (excluding foster children) other than the Head of Household or Spouse, who is under eighteen (18) years of age, or is a person with a handicap or disability, or is a Full-Time Student and written verification is furnished the PHA of this status.
19. **Designated Housing:** A complex, or a portion of a complex (as these terms are defined in 945.105), that has been designated for occupancy by either Disabled Families, Elderly Families, or Disabled Families and Elderly Families, in accordance with the requirements of Part 945.
20. **Dilapidated Unit:** A dwelling unit that:
 - (1) Does not provide safe and adequate shelter, and in its present condition endangers the health, safety or well-being of a Family, or
 - (2) Has one or more critical defects, or a combination of intermediate defects in sufficient number or extent to require considerable repair or rebuilding. The defects may involve original construction, or they may result from continued neglect, lack of repair, or from serious damage to the structure.

21. **Disabled Family:** A Family whose Head (or Spouse), or whose sole member is a person with a disability. The term "Disabled Family" includes a person with a disability, two or more persons with disabilities living together, and one or more persons with disabilities living with one or more persons who are determined to be essential to the care or well-being of the person(s) with disabilities.

22. **Disabled Person/Disability:** A person under a disability as defined in Section 223, of the Social Security Act (42 U.S.C. 423) or in Section 102 of the Developmental Disabilities Services Facilities Construction Amendments of 1970 (42 U.S.C. 269(1)). A family whose head, spouse, or sole member is a person with disabilities.

(1) Section 223 of the Social Security Act defines disability as:

- a. Inability to engage in any substantial gainful activity by reason of any medically determinable physical or mental impairment which can be expected to result in death or which has lasted, or can be expected to last, for a continuous period of not less than twelve (12) months;
- b. In the case of an individual who has attained the age of fifty-five (55) and who is blind, inability by reason of such blindness to engage in substantial gainful activity requiring skills or abilities comparable to those of any gainful activity in which he or she has previously engaged with some regularity over a substantial period of time.

(2) Section 102 of the Developmental Disabilities Services Facilities Construction Amendments of 1970 defines disability as a disability attributable to mental retardation, cerebral palsy, epilepsy, or any other neurological condition of an individual found by the Secretary of Health and Human Services to be closely related to mental retardation or to require treatment similar to that required for mentally retarded individuals, which disability originates before such individual attains age eighteen (18), which has continued or can be expected to continue indefinitely, and which constitutes a substantial handicap to such individual.

23. **Displaced Person:** A person or family displaced by Governmental action or whose dwelling has been extensively damaged or destroyed as a result of a disaster declared or otherwise formally recognized pursuant to Federal Disaster Relief Laws or a person or family who has been displaced by any act of nature, such as fire, tornado, flood, etc. Involuntary displacement for purposes of determining whether an applicant is entitled to priority for public housing admission under Federal law, an applicant is or will be involuntarily displaced if he/she has vacated or will have to vacate his/her housing unit as a result of one or more of the following actions:

- (1) A disaster, such as a fire or flood, that results in the applicant's unit being uninhabitable;
- (2) Activity carried on by an agency of the United States or by any State or Local Governmental body or agency in connection with a public improvement or development program; or
- (3) Action by a housing owner that results in an applicant having to vacate his/her dwelling, where:
 - a. The reason for the owner's action is beyond the applicant's ability to control or prevent;
 - b. The action occurs despite the applicant having met all previously imposed conditions of occupancy; and/or
 - c. The action taken is other than a rent increase.

For the purposes of this definition, reasons for an Applicant having to vacate a dwelling include, but are not limited to, conversion of an Applicant's dwelling to non-rental or non-residential use, closure of an Applicant's dwelling for rehabilitation or for any other reasons; notice to an Applicant that he/she must vacate a dwelling because the owner wants the dwelling for the owner's personal or family use or occupancy; sale of a dwelling in which an Applicant resides under an agreement that the unit must be vacant when possession is transferred; or some other legally authorized act that results, or will result, in the withdrawal by the owner of the dwelling from the rental market. Such reasons do not include the vacating of a dwelling by an Applicant as a result of actions taken because of the Applicant's refusal to comply with applicable program policies and procedures with respect to occupancy of underoccupied and overcrowded units or to accept a transfer to another dwelling in accordance with such policies and procedures under a desegregation plan approved by HUD.

An Applicant is also involuntarily displaced if the Applicant has vacated his/her housing unit as a result of actual or threatened physical violence directed against the Applicant's family by a spouse or other member of the Applicant's household; or the Applicant lives in a dwelling with such an individual who engages in such violence. For the purposes of this paragraph, the actual or threatened violence must, as determined by the PHA in accordance with HUD's administrative instructions, have occurred recently or be of a continuing nature. The Applicant must certify that the person who engaged in such violence will not reside with the Applicant's family unless the PHA has given advance written approval. If the family is admitted, the PHA may deny or terminate assistance to the family for breach of this certification if it occurs.

Displacement by Hate Crimes: An Applicant is involuntarily displaced if (a) one or more members of the Applicant's family have been the victims of one or more Hate Crimes; and (b) the Applicant has vacated a dwelling because of such crime, or the fear associated with such crime has destroyed the Applicant's peaceful enjoyment of the dwelling. "**Hate Crimes**" means actual or threatened physical violence or intimidation that is directed against a person or his/her property and that is based on the person's race, color, religion, sex, age, national origin, disability or familial status. The PHA must determine that the Hate Crime involved occurred recently or is of a continuing nature.

Displacement by inaccessibility of dwelling: An Applicant is Involuntarily Displaced if: (a) a member of the Family has a mobility or other impairment that makes the person unable to use critical elements of the dwelling; and (b) the owner is not legally obligated to make the changes to the dwelling that would make critical elements accessible to the disabled person as a reasonable accommodation.

In order to qualify for the preference based on involuntary displacement, a family must either have been involuntarily displaced as defined above and not living in "standard, permanent replacement housing", or it must be verifiable that the family will be involuntarily displaced within the next six (6) months.

24. Domestic Violence: Actual or threatened physical violence directed against one or more member(s) of the Applicant's family by a Spouse or other member of the applicant's household.
25. Dwelling Unit: A dwelling that is suitable for habitation.
26. Elderly Family: A family whose head or spouse (or sole member) is a person who is at least 62 years of age; or two or more persons who are at least 62 years of age living together; or one or more persons who are at least 62 years of age living with one or more live-in aides.
27. Elderly Person: A person who is at least sixty-two (62) years of age.
28. Evidence of Citizenship or Eligible Immigration Status: The documents which must be submitted to evidence citizenship or eligible immigration status (Reference CFR 5.508(b)).
29. Familial Status: Of, pertaining to, or characteristic of a family. A single pregnant woman and individuals in the process of obtaining custody of any individual who has not attained the age of 18 are processed for occupancy the same as single persons (Reference Federal Register published February 13, 1996, pages 5,662 and 5,663). In Section II "Reinventing Parts 812 and 912 of the Federal Register states:

"The April 10, 1992, proposed revisions to parts 812 and 912, which concern section 5(b) of the Fair Housing Amendments Act of 1988 (FHAA) and the treatment of single, pregnant women obtaining custody, are not included in this final rule. The statutory prohibition against housing discrimination towards such persons is sufficiently clear and enforceable. Since the percentage limit for occupancy by single persons (which could have been used to mask instances of discrimination against persons in these protected classes) has been eliminated, it is no longer necessary to distinguish persons in the FHAA-protected classes from other single persons."

Therefore, a single pregnant woman and individuals in the process of obtaining custody of any individual who has not attained the age of 18 years are processed for occupancy the same as a single person and only entitled to a one bedroom unit. Once the child is born and/or the custody is obtained, the family will qualify for a two (2) bedroom unit and authorized to transfer as outlined in the Transfer Policy herein. (Applicants under the age of 21 (unless married) will be required to submit proof of emancipation.

30. Family:

- (1) A group of two or more persons related by blood, marriage, operation of law or legal adoption who will live regularly together in the same dwelling (including a foster child(ren) and members of the family who are temporarily absent - (a family with or without children (the temporary absence of a child(ren) from the home due to placement in foster care shall not be considered in determining family composition and family size)). There must be some concept of family living beyond the mere sharing or intention to share housing accommodations by two or more persons to constitute them as a family within the meaning of this policy. Some recognized and acceptable basis of family relationship must exist as a condition of eligibility. By definition, a family must contain a competent adult of legal age (21 years of age or 18 years of age if proof of emancipation is presented or married) who is capable of functioning as the Head of Household. If an individual is 18 and qualifies under the definition of family by being married, the Head of Household AND the Spouse must both sign all required forms.
- (2) An Elderly Family;
- (3) A Near Elderly Family;
- (4) A Disabled Family or Person;
- (5) Single pregnant women with no children and who are 21 years of age or older (18 years of age if proof of emancipation is presented), provided, verification of active pregnancy is furnished from a physician;
- (6) A single person who is 21 years of age or older (18 years of age if proof of emancipation is presented) with no children, who has secured or is in the process of securing legal custody of an individual under the age of 18 years or other single person that are Near Elderly as defined in this policy;
- (7) A person necessarily residing with a family by reason of employment by, or for, such family: (a) to permit the employment of a sole wage earner, or (b) for the health and welfare of a sick or incapacitated member of the family, need not be considered as a member of the family for the purpose of determining (net) family income for eligibility or establishing the Total Tenant Payment. However, the necessity for such an arrangement must be evidenced by a doctor's certificate when health related reasons are given for the arrangement. In all cases, the presence of such a person must be determined essential and so certified and approved in advance by the PHA. Under no circumstances may such arrangements be either continued longer than necessary or permitted only for the convenience of the Resident or such employee. This provision is applicable both for Admission and Continued Occupancy and is not restricted to Elderly families;
- (8) For Continued Occupancy purposes only, the remaining member of a Resident family who meets all the requirements for Continued Occupancy.
- (9) Housing assistance limitation for single persons: A single person who is not an elderly or displaced person, or a person with a disability, or the remaining member of a tenant family may not be provided (for public housing and other project-based assistance) a housing unit with two (2) or more bedrooms (Ref. 982.207 Housing assistance limitation for single persons, CFR published on 2/13/96).

The above definition of "Family" does not exclude a person living alone during the temporary absence of a family member who will later live regularly as a part of the Family.

31. Family Income: Monthly Income, as defined in 24 CFR 913.102. (One-twelfth of Annual Income.)

32. Foster Child: A member of the household who is under 18 years of age, or is a Full-Time Student 18 or older, and who is being reared by anyone other than his/her mother, father or other blood relative. With the prior written consent of the PHA, a foster child may reside on the premises. The factors considered by the PHA in determining whether or not consent is granted may include (a) Whether the addition of a new occupant may require a transfer of the family to another unit, and whether such units are available; (b) The PHA's obligation to make reasonable accommodation(s) for handicapped persons.

33. **Fraud:** A violation of State and/or Federal Laws in which any person(s) obtains or establishes eligibility for, and any person(s) who knowingly/intentionally aids or abets such person(s) in obtaining or establishing eligibility for any PHA housing, or a reduction in PHA rental charges, or any rent subsidy or assistance, to which such person(s) would not otherwise be entitled, by means of a false statement, failure to disclose information, impersonation, or other fraudulent scheme or device.
34. **Full-Time Student:** A person who is carrying a subject load that is considered full-time for day students under the standards and practices of the educational institution attended. An educational institution includes a vocational school with a diploma or certificate program, as well as an institution offering a college degree. Written verification will be supplied by the attended educational institution.
35. **Guest:** A person in the leased Dwelling Unit with the consent of a household member. The length of stay for guests will be limited to ten (10) days. Prior written permission from management will be required for all guests. Guests will be prohibited from any criminal activity that threatens the health, safety, or right to peaceful enjoyment of the premises of other Residents or employees of the PHA, or any drug-related criminal activity on or near such premises.
36. **Government Action:** Activity carried on by an agency of the United States or by any State or Local Governmental body or agency in connection with code enforcement or a public improvement or development program.
37. **Handicapped Assistance Expenses:** Reasonable expenses that are anticipated, during the period for which annual income is computed, for attendant care and auxiliary apparatus for a Handicapped or Disabled Family member, and that are necessary to enable a Family member (including the Handicapped or Disabled member) to be employed, provided that the expenses are neither paid to a member of the family nor reimbursed by an outside source.
38. **Handicapped Person:** A person having a physical or mental impairment that (1) is expected to be of long continued and indefinite duration, (2) substantially impedes his/her ability to live independently, and (3) is of such a nature that such ability could be improved by more suitable housing conditions. ALL three (3) conditions must be met to qualify as handicapped. A person who is under a disability as defined in Section 223 of the Social Security Act (42U.S.C.423) or in Section 102(7) of the Developmental Disabilities Assistance and Bill of Rights Act (42 U.S.C. 6001(7)), or is handicapped as defined below:
- (a) Inability to engage in any substantial gainful activity by reason of any medically determinable physical or mental impairment which can be expected to result in death or which has lasted or can be expected to last for a continuous period of not less than twelve (12) months; or
 - (b) In the case of any individual who has attained the age of fifty-five (55) and is blind (within the meaning of "blindness" as defined in Section 416(l)(1) of this title), inability by reason of such blindness to engage in substantial gainful activity requiring skills or abilities comparable to those of any gainful activity in which he has previously engaged with some regularity and over a substantial period of time.
- Section 102(5) of the Developmental Disabilities Services and Facilities Construction Amendments of 1970 defines disability as:
- "A disability attributable to mental retardation, cerebral palsy, epilepsy or another neurological condition of an individual found by the Secretary of Health and Human Resources to be closely related to mental retardation or to require treatment similar to that required for mentally retarded individuals, which disability originates before such individual attains age eighteen (18), which has continued or can be expected to continue indefinitely, and which constitutes a substantial handicap to such individual."
39. **Hardship:** Situation which is hard to bear or often beyond one's power of control due to family death, illness, or other circumstance(s) that cause considerable stress in the Applicant/Resident's current living situation as defined and outlined in the Quality Housing and Work Responsibility Act of 1998.
40. **Hate Crime:** Actual or threatened physical violence or intimidation that is directed against a person or his/her property and that is based on the person's race, color, religion, sex, national origin, handicap, or familial status.
41. **Hazardous Duty Pay:** Pay to a family member in the Armed Forces away from home and exposed to hostile fire.
42. **Head of Household:** The "Head of Household" is that member of the family group who is legally or morally responsible for supplying the needs of the family, normally considered to be the lessee, and is primarily responsible, and accountable, for the family, particularly in regard to lease obligations.
43. **Homeless Family:** Any individual or family who is considered to be living in substandard housing or:
- (1) Lacks a fixed, regular, and adequate nighttime residence, or
 - (2) Has a primary nighttime residence that is:
 - a. A supervised publicly or privately operated shelter designed to provide temporary living accommodations (including welfare hotels, congregate shelters, and transitional housing for the mentally ill);
 - b. An institution that provides a temporary residence for individuals intended to be institutionalized; or
 - c. A public or private place not designed for, or ordinarily used as, regular sleeping accommodations for human beings.
 - (3) A "Homeless Family" does NOT include:
 - a. Any individual imprisoned or otherwise detained pursuant to an Act of Congress or a State Law;
 - b. Any individual who is a Single Room Occupant (SRO) that is not considered substandard housing as defined in 24 CFR 960.214(b)(4).
44. **Household Composition:** All individuals who reside in a Dwelling as indicated on the Dwelling Lease.
45. **Housing Assistance Limitation for Single Persons:** A single person who is not an elderly or displaced person, or a person with disabilities, or the

remaining member of a Resident may not be provided:

- (1) For public housing and other project-based assistance, a housing unit with two (2) or more bedrooms; or
- (2) For tenant-based assistance, housing assistance for which the family unit size exceeds the one (1) bedroom level.

46. HUD Disposition: Displacement because of disposition of a multifamily rental housing complex by HUD under Section 203 of the Housing and Community Development Amendments of 1978.
47. Inaccessibility: A member of a family has a mobility or other impairment that makes the person unable to use critical elements of the Dwelling; and the owner is not legally obligated to make the changes to the dwelling that would make critical elements accessible to the disabled person as a reasonable accommodation.
48. Income Exclusion: Annual Income does not include temporary, non-recurring or sporadic income as defined herein.
49. Income for Eligibility: For the purpose of determining eligibility for Admission and for statistical reporting means of "Annual Income".
50. Income for Rent: For the purpose of determining rents and for statistical reporting means Annual Adjusted Income; except that Annual Income is to be used in determining the ten (10) percent rent.
51. Income Limits: Very Low-Income and Low-Income limits established by HUD that are used to determine if assisted housing program applicants qualify for admission to HUD-assisted programs. These income limits are based on HUD estimates for area median family income (using Metropolitan Statistical Areas or Primary Metropolitan Statistical Areas as defined by the Office of Management and Budget (OMB)), and the Bureau of the Census definition of Family with specific statutorily permissible adjustments. If the income limits based on this approach would be less than if based on the relevant State non-metropolitan median family income level, income limits are based on the State non-metropolitan family income level.
52. Income Ranges: Income ranges are defined as the incomes of all low-income families in each of this PHA's areas of operation. The Income Ranges provide rent ranges in amounts that must be achieved to assure financial solvency of this PHA and comply with the law requiring serving a cross section of low-income families. Selection of a cross section of low-income families will be made in order to produce these ranges insofar as the PHA is able to do so and remain in full compliance with the SELECTION OF APPLICANTS FOR ADMISSION section herein.
53. Ineligible: When a person does not meet all required qualifications to be chosen for admission or continued occupancy.
54. Infant: A child under the age of two (2) years.
55. INS: The U. S. Immigration and Naturalization Service.
56. Interim Reexamination: Between annual reexaminations, the family must comply with provisions in its Dwelling Lease regarding interim reporting of changes in income and/or family composition at which time the PHA verifies the information and makes appropriate adjustments.
57. Involuntary Displacement: Refer to Section regarding "Displaced Person".
58. Large Family: A family which includes six (6) or more minors (other than Head of Household or Spouse).
59. Live-In Aide: A person who resides with an Elderly or Disabled person(s) and who (1) is determined by the PHA to be essential to the care and well-being of the person(s); (2) Is not obligated for support of the person(s); and (3) Would not be living in the dwelling except to provide necessary supportive services (See 913.106(c) for treatment of a Live-In Aide's income). (NOTE: A Live-In Aide must be approved in writing in advance, by the PHA and meet eligibility requirements for public housing occupancy.)
60. Local Preference: Any allowable preference a PHA may desire to be part of its Tenant Selection Criteria.
61. Lower Income Family: A Family whose Annual Income does not exceed 80% of the median income for the area, as determined by HUD with adjustments for smaller and larger families. HUD may establish income limits higher or lower than 80% of the median income for the area on the basis of its finding that such variations are necessary because of the prevailing levels of construction costs or unusually high or low Family Income.
62. Medical Expenses: Those necessary medical expenses, including medical insurance premiums, that are anticipated during the period for which Annual Income is computed, and that are not covered by insurance. Medical expenses may include services of doctors and health care facilities, medical insurance premiums, prescription and nonprescription medicines, transportation to treatment, dental expenses, eyeglasses, hearing aids, batteries, live-in or periodic medical assistance, monthly payment on accumulated medical bills, and medical care of a permanently institutionalized family member IF his/her income is included in annual income. Medical expenses in excess of 3% of annual income is permitted as a deduction ONLY for households in which the Head of Household or Spouse is at least 62, handicapped or disabled.
63. Military Service: The active military service of the United States, which includes the Army, Navy, Air Force, Marine Corps, Coast Guard and since July 29, 1945, the Commissioned Corps of the United States Public Health Services.
64. Minimum Rent: Families assisted under the Public Housing program pay a monthly "Minimum Rent". The PHA has the discretion to establish the Minimum Rent up to \$50.00. The minimum rent established by this PHA is \$50.00.

65. Minor: A Minor is a person less than eighteen (18) years of age. (An unborn child may not be counted as a minor but is counted for eligibility of a single, pregnant female.) A married person eighteen (18) years of age or older shall be considered to be of the age of majority.

66. Mixed Family: A family whose members include those with citizenship or eligible immigration status, and those without citizenship or eligible immigration status.

67. Monthly Adjusted Income: One twelfth (1/12) of Adjusted Income.

68. Monthly Income: One twelfth (1/12) of Annual Income. For purpose of determining priorities based on an Applicant's rent as a percentage of income, family income is the same as monthly income.

69. National: A person who owes permanent allegiance to the United States, for example, as a result of birth in a U.S. territory or possession.

70. Natural Disaster: An act of nature such as flooding, hurricane, tornado, earthquake, lightning fires, etc.

71. Near-Elderly Family: A Family whose Head of Household (or Spouse), or whose sole members are Near-Elderly persons. The term "Near-Elderly Families" includes two or more Near-Elderly Persons living together, and one or more Near-Elderly Person living with one or more persons who are determined to be essential to the care or well-being of the Near-Elderly Person(s).

72. Near-Elderly Person: An individual who is at least 50 years of age but below the age of 62.

73. Net Family Assets: Net cash value after deducting reasonable costs that would be incurred in disposing of real property, savings and checking accounts, stocks, bonds, cash on hand, and other forms of capital investments, excluding interest in Indian trust land, excluding equity accounts in HUD homeownership programs. The value of necessary items of personal property such as furniture and automobiles shall be excluded. (In cases where a trust fund has been established and the trust is not revocable by or under the control of, any member of the Family or household, the value of the trust fund will not be considered as an asset so long as the fund continues to be held in trust. Any income distributed from the trust fund shall be counted when determining Annual Income.) In determining Net Family Assets, this PHA shall include the value of any business or family assets disposed of by an Applicant or Resident for less than fair market value (including a disposition in trust, but not in a foreclosure or bankruptcy sale) during the two (2) years preceding the date of application for the program or reexamination, as applicable, in excess of the consideration received thereof. In the case of a disposition (as part of a separation or divorce settlement), the disposition will not be considered to be for less than fair market value if the Applicant or Resident received important consideration not measurable in dollar terms.

74. Noncitizen: A person who is neither a citizen nor national of the United States.

75. Overcrowded: Two or more families residing at one address who are related by blood, marriage, adoption or court custody resulting in the following situations:

- (1) An entire family is sleeping in one room not large enough to allow a bed, sofa/couch, chair, or cot for all members of that family. (A family would consist of one (or both) parent(s) and their children (including court ordered custody and/or foster children).
- (2) A Resident that does not have adequate sleeping areas for members of each family living there. (A sleeping area does not have to be a bedroom - a living/family room/den can be considered a sleeping area in which a sofa/couch or chair can be used for sleeping and cots can be set up.)
- (3) Code enforcement activities citing overcrowded conditions wherein the family has been cited in writing by a code enforcement official to vacate the premises.

76. Person with Disabilities: A person who:

- (1) Has a disability as defined in Section 223 of the Social Security Act (42 U.S.C. 423);
- (2) Is determined, pursuant to regulations issued by the Secretary, to have a physical, mental, or emotional impairment which:
 - a. Is expected to be long-continued and indefinite duration;
 - b. Substantially impedes his/her ability to live independently; and
 - c. Is of such a nature that such ability could be improved by more suitable housing conditions; or
- (3) Has a developmental disability as defined in Section 102 of the Developmental Disabilities Assistance and Bill of Rights Act (42 U.S.C.6001(5)).

77. Profit-Making Activities: Legal profit-making activities conducted in the Dwelling Unit if Management determines that such activities are incidental to the lawful primary use of the leased unit for residence by members of the household, and provided such activities do not violate Management's policies concerning profit-making activities.

78. Public Housing Agency (PHA): Any State, County, Municipality or other government entity or public body (or agency or instrumentality thereof) that is authorized to engage in or assist in the development or operation of housing for lower income families.

79. Ranking Preference: A preference established by the PHA for use in selecting applicants.

80. Reexamination (also referred to as Recertification): The process of securing documentation to show that Residents meet the eligibility requirements for Continued Occupancy and to determine rent and other matters. Types of reexamination include: (1) Annual or Regular; (2) Interim, and (3) Special.

81. Reexamination Date: The date on which any rent change is effective, or would be effective, if required as a result of the annual reexamination of eligibility and rent. The reexamination date of this PHA is July 1.
82. Regular Reexamination: The PHA reexamines the household income and family composition of all Resident families annually according to the Dwelling Lease. After consultation with the Family, and upon verification of the information, the PHA must make any appropriate adjustments as necessary.
83. Remaining Member of a Family: The person(s) of legal age remaining in the dwelling unit after the person(s) who signed the Dwelling Lease has/ have left the premises, other than by eviction, who may or may not normally qualify for assistance on their own circumstances. An individual must occupy the public housing unit to which he/she claims head of household status for one (1) year before becoming eligible for subsidized housing as a remaining family member. This person must complete forms necessary for housing within ten (10) days from the departure of the leaseholder and may remain in the unit for a reasonable time pending the verification and grievance process. This person must, upon satisfactory completion of the verification process, then execute a new Dwelling Lease and cure any monetary obligations in order to remain in the unit.
- Any person who claims him/herself as a remaining member shall, in the event that the PHA declares him/her ineligible for remaining member status, be entitled to the grievance process upon notice to him/her that he/she is not considered to be a remaining member of the household. This grievance process must be requested in writing within ten (10) days from the date of the departure of the head of household by the person requesting remaining member status. In the interim time between the time of the request for the grievance process and the decision by the hearing officer, all rent which was due pursuant to the Dwelling Lease, shall be deposited into an escrow account with the PHA under the same provisions as those relating to Residents requesting a grievance hearing relating to rent under the grievance process. The PHA does not recognize the person as a Resident by giving him/her the opportunity for a grievance hearing. A remaining member shall not be considered to be a Resident until such time as a new Dwelling Lease is executed by the PHA and the person granted Resident status after the verification status.
84. Rent: For purposes of this section, rent is defined as:
- (1) The actual amount due, calculated on a monthly basis, under a Dwelling Lease or Occupancy Agreement between a family and the family's current landlord; and
 - (2) In the case of utilities purchased directly from utility providers;
 - a. The PHA's reasonable estimate of tenant-purchased utilities (except telephone and cable) and the other housing services that are normally included in rent; or
 - b. If the family chooses, the average monthly payments that it actually makes for these utilities and services for the most recent 12-month period or, if information is not obtainable for the entire period, for an appropriate recent period;
 - c. For purposes of calculating rent under paragraph 1 above, amounts paid to or on behalf of a family under any energy assistance program must be subtracted from the otherwise applicable rental amount to the extent that they are not included in the family's income;
 - d. In the case of an Applicant who owns a manufactured home, but who rents the space upon which it is located, rent under paragraph 1 includes the monthly payment to amortize the purchase price of the home, as calculated in accordance with HUD's requirements;
 - e. In the case of members of a cooperative, rent under paragraph 1 means the charges under the occupancy agreement between the members of the cooperative.
85. Rent Burden: An encumbrance by an Applicant who is paying more than 50% of family income for rent.
86. Repayment Policy: When families are assessed substantial charges for retroactive rents, maintenance and/or damage charges, it is often necessary to enter into a formal reasonable Repayment Agreement with those families in an effort to collect monies owed this PHA by present and former Residents. Residents in occupancy who fail to abide by the terms of the Repayment Agreement are referred to Justice Court for collection of the full amount owed and/or eviction. Vacated Residents who become delinquent on a Repayment Agreement are traced through Social Security numbers for possible employment and collection pursued by garnishment of wages.
87. Reprisal: When family members provide information on criminal activities to a law enforcement agency; and based on a threat assessment, a law enforcement agency recommends rehousing the family to avoid or minimize a risk of violence against family members.
88. Residency Preference: A preference for admission of families living in the jurisdiction of the PHA. It may be adopted as a ranking or a local preference provided that it does not unlawfully discriminate.
89. Secretary: The Secretary of the U. S. Department of Housing and Urban Development.
90. Separation: The ending of co-habitation by mutual agreement. If an Applicant/Resident is divorced* or separated and has or has no children by that spouse, Applicant/Residence must provide at least one of the verifications listed below: (Child support and/or TANF refers to Applicants/Residents who do have children):
- (1) A FINAL divorce decree. *(Applies to individuals who are divorced and are not separated and is the only documentation accepted for individuals that are divorced);
 - (2) Receiving court-ordered child support from former spouse;
 - (3) Verification that Applicant/Resident is pursuing child support through U. S. Department of Human Resources, Child Support Unit or Circuit Clerk's Office;
 - (4) If Applicant/Resident is receiving personal child support, then Applicant/Resident can make arrangements to have the child support paid through the court system, either through the Circuit Clerk's Office, U. S. Department of Human Resources, or through a court referee;
 - (5) Receiving TANF (Temporary Assistance to Needy Families) through the U. S. Department of Human Resources for former spouse's

- children;
- (6) A notarized statement from Applicant's current landlord (not family) verifying that the current landlord knows that the Applicant and spouse have not lived together for the last six (6) months or more;
 - (7) Income tax statements from both husband and wife indicating both filed income taxes separately the last year and that they filed from different addresses;
 - (8) (a) Written statement from Attorney that applicant has filed suit for divorce because of physical abuse, agencies, social services agencies;
(b) Written statement from an abuse shelter, law enforcement agency, social service agencies that applicant needs housing due to physical abuse.
(c) In both of the above (a) and (b), Applicant will also be required to sign a statement to the effect that the separated person will not be permitted in the Resident's dwelling or on the Resident's property because of the physical abuse situation. Also, the person involved with physical abuse will be banned from all PHA property as long as the Applicant lives in assisted housing within the PHA property.
 - (9) Food Stamp verification - If no other documentation is available.
91. Single Person: A person who lives alone or intends to live alone, and who does not qualify as an Elderly, Disabled, or Handicapped Family, displaced person, or as the remaining member of a tenant Family. A single person must be admitted according to 24 CFR 912.3.
92. Single Room Occupancy (SRO): A unit which contains no sanitary facilities or food preparation facilities, or which contains one, but not both, types of facilities and which is suitable for occupancy by a single eligible individual capable of independent living.
93. Special Reexamination: A reexamination conducted if at the time of admission or regular reexamination, it is not possible to make an estimate of the net family income for the ensuing 12 month period with any reasonable degree of accuracy.
94. Spouse: The legal husband or wife of the Head of Household.
95. Standard Permanent Replacement Housing: Housing that is:
- (1) Decent, safe, and sanitary;
 - (2) Adequate for the family size;
 - (3) Occupied by the family pursuant to a lease or occupancy agreement, and;
 - (4) Does not include transient facilities such as motels, hotels or temporary shelters for victims of domestic violence or homeless families, or in the case of domestic violence, it does not include the housing unit in which the applicant and the applicant's spouse or other member(s) of the household who engages in such violence live.
96. State: Any of the several States of the United States of America, the District of Columbia, the Commonwealth of Puerto Rico, the territories and possessions of the United States, the Trust Territory of the Pacific Islands, and Indian tribes.
97. Substandard Housing: A housing unit that fails to meet the requirements of the Housing Quality Standards. Furthermore, a unit is substandard if it:
- (1) Is dilapidated;
 - (2) Does not have operable indoor plumbing;
 - (3) Does not have a usable flush toilet inside the dwelling for exclusive use of a family;
 - (4) Does not have a usable bathtub or shower inside the dwelling for the exclusive use of a family;
 - (5) Does not have electricity or has inadequate or unsafe electrical service;
 - (6) Does not have a safe or adequate source of heat;
 - (7) Does not have a kitchen;
 - (8) Has been declared unfit for habitation by an agency or unit of government;
 - (9) Has one or more critical defects, or a combination of intermediate defects in sufficient number or extent to require considerable repair or rebuilding. The defects may involve original construction, or they may result from continued neglect or repair or from serious damage to the structure;
 - (10) An applicant that is a "Homeless Family" is considered to be living in substandard housing, however, a "Homeless Family" does NOT include any person imprisoned or otherwise detained pursuant to an Act of Congress or a State or tribal law.
98. Temporary Absent Family Member(s): A person(s) on the Dwelling Lease who is not living in the household for a period of not more than thirty (30) days is considered temporarily absent.
99. Temporary Rent: On occasions, the PHA is required to compute rent based on information that is supplied by the Resident and third party information that has not or will not be provided by the employer. When this situation occurs, the PHA will compute a temporary rent based on the information available. Once the information is verified the Resident will be notified in writing. If an underpayment was made based on the information provided the Resident will have fourteen (14) days from the date of the PHA notification to pay the amount specified. If the Resident has made an overpayment, that amount will be credited to the Resident's account. The Head of Household and Spouse (when applicable) and a PHA representative will sign this Notice of Temporary Rent and it will be filed in the Resident's file in the Administrative Office. A copy of this notice will also be given to the Resident.
100. Tenant Rent: The amount payable monthly by the Family as rent to the PHA. Where all utilities (except telephone and cable) and other essential housing services are supplied by the PHA, Tenant Rent equals Total Tenant Payment. Where some or all utilities (except telephone and cable) and other essentials are not supplied by the PHA and the cost thereof is not included in the amount paid as rent, Tenant Rent equals Total Tenant Payment less the Utility Allowance. (Tenant Rent is a term established and defined by 24 CFR (Part 913) and as such is occasionally awkward in ordinary usage. For this reason, the term "Tenant Rent" is used interchangeably with "rent" elsewhere in this policy

to refer to the net monthly payment by the family to the PHA. The only exception is the term "Rent" as defined in this policy in reference to Admission Priorities based on an Applicant's rent as a percentage of monthly income. NOTE: *The monthly rent that is payable by the Resident must be paid in full - no partial payments will be accepted, except when rent is over \$300.00 in which case the rent is divided into four (4) even payments due on the first thru fourth Mondays of the month.*)

101. **Total Tenant Payment:** Total Tenant Payment (TTP) is the monthly amount calculated under 24 CFR 913.107. Total Tenant Payment does not include charges for excess utility consumption or other miscellaneous charges. Total Tenant Payment for families shall be the highest of the following:
- (1) 10% of Monthly Income; or
 - (2) 30% of Monthly Adjusted Income; or
 - (3) If the Family received Welfare Assistance from a Public Agency and a part of such payments, adjusted in accordance with the Family's actual housing costs, is specifically designated by such Agency to meet the Family's housing costs, the monthly portion of such payments are so designated. If the Family's Welfare Assistance is ratably reduced from the standard of need by applying a percentage, the amount calculated under this paragraph shall be the amount resulting from one application of the percentage.
102. **Unreported Income:** If a Resident fails to report income, the tenancy is subject to termination under the terms of the PHA Dwelling Lease. The Resident will be obligated to pay the applicable portion of the rent for any and all unreported income immediately upon notification. If the payment can not be made in one payment, the Resident will be required to sign a Repayment Agreement. A Repayment Agreement must be in writing and in accordance with the Repayment Plan of the PHA. The Resident and a PHA representative must both sign the Repayment Agreement. For repeated offenses, the tenancy will be terminated and the case turned over to the appropriate authority for prosecution for fraud.
103. **Utilities:** Water, electricity, gas, garbage/rubbish collection, and sewage service. Telephone and television service (cable) is not included as a utility.
104. **Utility Allowance:** If the cost of utilities (except telephone and cable) and other housing services for an assisted unit is not included in the Tenant Rent but is the responsibility of the Family occupying the unit, an amount equal to the estimate made or approved by a PHA or HUD, under 24 CFR Part 965, of the monthly cost of a reasonable consumption of such utilities and other services for the unit by the energy-conservative household of modest circumstances consistent with the requirements of a safe, sanitary, and healthful living environment.
105. **Utility Reimbursement:** The amount, if any, by which the Utility Allowance for the unit, if applicable, exceeds the Total Tenant Payment for the family occupying the unit.
106. **Very Low-Income Family:** A Family whose Annual Income does not exceed 50% of the median income for the area, as determined by HUD, with adjustments for smaller and larger families. HUD may establish income limits higher or lower than 50% of the median income for the area on the basis of its finding that such variations are necessary because of unusually high or low Family income.
107. **Veteran:** One who has served in the Armed Forces or Military Service.
108. **Wage Earner:** A person in a gainful activity who receives any wages. Said wages or pay covers all types of employee compensation including salaries, vacation allowances, tips, bonuses, commissions and unemployment compensation. The term "Wage Earner" and "Worker" are used interchangeably.
109. **Waiting List:** A list of names of Applicants who have applied for housing at the PHA.
110. **Welfare Assistance:** Welfare or other payments to families or individuals, based on need, that are made under programs funded, separately or jointly, by Federal, State, or local governments.
111. **Working Family:** A family whose head or spouse is gainfully employed and who has a source of income that is earned from working/employment, or income received as a result of employment, including but not limited to: workmen's compensation, unemployment, sick or annual leave.

XVIII. TOTAL TENANT PAYMENT

- (a) *Total Tenant Payment for families whose initial Dwelling Lease is effective on or after August 1, 1982:*
Total Tenant Payment shall be the highest of the following, rounded to the nearest dollar:

- (1) Ten (10) percent of Monthly Income.
- (2) Thirty (30) percent of Monthly Adjusted Income.
- (3) Minimum Rent set by the PHA less utility allowance.

- (b) *Total Tenant Payment for families whose initial Dwelling Lease was effective before August 1, 1982:*

Total Tenant Payment shall be calculated in accordance with paragraph (a) of this section except that instead of thirty (30) percent, the percentage applied to Monthly Adjusted Income shall be in accordance with the following table:

Effective Date of Reexamination

Percentage

August 1, 1982 thru September 30, 1982	26
October 1, 1982 thru September 30, 1983	27
October 1, 1983 thru September 30, 1984	28
October 1, 1984 thru September 30, 1985	29
October 1, 1985 and thereafter	30

(c) **Special Conditions:**

- (1) For purposes of this section, a family is considered to be a family whose initial Dwelling Lease was effective before August 1, 1982, only if it satisfies both of the following conditions:
 - a. The family resided on July 31, 1982, in a dwelling under lease with assistance under Section 8, Public Housing or Indian Housing Program, or the family resided in a unit in a HUD owned complex; and
 - b. The family's assistance has been continuous thereafter in the same complex or same program of the PHA, or in the case of an involuntary move, in units in any of the PHA's programs.
- (2) So long as a family whose initial Dwelling Lease was effective before August 1, 1982, continues to reside in the same complex or same program of the PHA, or, in the case of an involuntary move, in units in any of the PHA's programs, its Total Tenant Payment shall not be increased by more than 10% during any twelve (12) month period as a result of: (1) Application of the percentages in paragraph (b) of this section; and (2) Application of the changes in the definitions contained in DEFINITION OF TERMS section, herein, from definitions of comparable terms in regulations in effect immediately before July 1, 1984.
- (3) So long as a Family whose initial Dwelling Lease was effective on or after August 1, 1982, but which was in occupancy on July 1, 1984, continues to reside in the same complex or same program of the PHA, or, in the case of an involuntary move, in units of any of the PHA's programs, its Total Tenant Payment shall not be increased by more than 10% during any twelve (12) month period as a result of application of the changes in the definitions contained in DEFINITION OF TERMS section, herein, from definitions of comparable terms in regulations in effect immediately before July 1, 1984.
- (4) The limitations contained in paragraphs (c)(2) and (3) above do not apply to portions of increases in Total Tenant Payment that are attributable to increases in income or changes in Family composition or circumstances unrelated to the factors referred to in paragraphs (c)(2) and (3) above.
- (5) In order to facilitate administration of the limitations provided in paragraphs (c)(2) and (3) above, upon any regular or interim reexamination of a family that was in occupancy on June 30, 1984, the PHA shall continue to collect and verify information that would have been taken into account in calculating Total Family Income and Family Income as defined in regulations in effect immediately before July 1, 1984, as if such regulations were in effect at the date of such examination.
- (6) The limitations prescribed in paragraphs (c)(2) and (3) above shall be applied in accordance with procedures prescribed by HUD.

XIX. TRANSITION PROVISIONS: Implementation of the Final Rule Changes made by the U. S. Department of HUD which was effective July 1, 1984, shall be in accordance with Section 913.110 as published in the Federal Register on Monday, May 21, 1984.

XX. PET POLICY: This PHA has a current policy governing the keeping of common household pets. Residents will be required to comply with the current adopted PHA Pet Policy as adopted by the Board of Commissioners of this Housing Authority.

XXI. PROGRAM MANAGEMENT PLAN: (Organization Plan) Reference the PHA's adopted personnel policy for the organization plan of the PHA.

XXII. ADVERSE ACTIONS: The PHA shall notify the Resident of the specific grounds for any proposed adverse action by the PHA. Such adverse action includes, but is not limited to: (a) A proposed lease termination, (b) A transfer of the Resident to another unit, or (c) Imposition of charges for maintenance and repair. When the PHA is required to afford the Resident the opportunity for a hearing under the PHA Grievance Procedure for a grievance concerning a proposed adverse action, the notice of proposed adverse action shall inform the Resident of the right to request such hearing.

In the case of a lease termination, a notice of lease termination in accordance with 966.4(1)(3) shall constitute adequate notice of proposed adverse action. In the case of a proposed adverse action other than a proposed lease termination, the PHA shall not take the proposed action until the time for the Resident to request a grievance hearing has expired.

XXIII. EVICITION FOR CRIMINAL ACTIVITY: In deciding to evict for criminal activity, the PHA shall have discretion to consider all of the circumstances of the case, including the seriousness of the offense, the extent of participation by family members, and the effects that the eviction would have on family members not involved in the prescribed activity. In appropriate cases, the PHA may permit continued occupancy by remaining family members and may impose a condition that family members who engaged in the criminal activity will not reside in the unit. A PHA may require a family member who has engaged in the illegal use of drugs to present evidence of successful completion of a treatment program as a condition to being allowed to reside in the dwelling. When a PHA evicts an individual or family from a Dwelling Unit for engaging in criminal activity, including drug-related criminal activity, the PHA shall notify the local Post Office serving that Dwelling Unit that such individual or family is no longer residing in the Dwelling Unit so that the Post Office will terminate delivery of mail for such persons.

XXIV. TENANT SELECTION AND ASSIGNMENT PLAN:

Equal Opportunity: The Fair Housing Act makes it illegal to discriminate on the basis of race, color, religion, sex, handicap, age, familial status and national origin. This PHA shall not deny to any family the opportunity of applying for admission, nor shall it deny to any eligible applicant, the opportunity of applying for admission nor shall it deny to any eligible applicant the opportunity of leasing or renting a dwelling suitable to its need in any low-rent complex operated by this PHA.

Selection Process: Residents shall be selected from among eligible Applicant families whose family composition is appropriate to available Dwelling Units. The PHA will take into consideration the needs of individual families for low rent housing and the statutory purpose in developing and operating a socially and financially sound low-income housing complex, which provides a decent home and a suitable living environment

and fosters economic and social diversity in the Resident body as a whole. Selection will be made in such a manner as:

- a. To avoid concentrations of the most economic and socially deprived families in one or all of the projects operated by the PHA;
- b. To maintain a Resident body in each complex composed of families with a broad range of income and rent paying ability which is generally representative of the range of incomes of low income families in the PHA's area of operation as defined by State Law.

Order of Selection: Applications will be filed in the following hierarchical order:

- a. Unit size/type needed by Applicants;
- b. Preference of Applicants;
- c. Date and time of application;
- d. Deconcentration and Income Mix Targeting.

An Applicant can reject an offer one (1) time before losing their place on the waiting list. If an Applicant rejects the first offer, the Applicant will be notified at that time that due to the fact they refused the offer of assistance, the date and time of his/her application is being changed to the date and time that they refused the offer.

Verification of Preference (Timing): At the time of application, initial determinations of an Applicant's entitlement to a preference may be made on the basis of an Applicant's certification of his/her qualification for that preference. Before selection is made, this qualification must be verified.

XXV. COMPLIANCE WITH EQUAL OPPORTUNITY REQUIREMENTS FOR POSTING REQUIRED INFORMATION:

There shall be maintained in the PHA's office a bulletin board which will accommodate the following posted materials:

1. Statement of Policies and Procedures Governing Admission and Continued Occupancy Policy (ACOP) which also contains the PHA's Tenant Selection and Assignment Plan;
2. Open Occupancy Notice (Applications being Accepted and/or Not Accepted);
3. Directory of Housing Complexes including names, addresses of complex offices, number of units by bedroom size, and office hours of PHA facilities;
4. Income Limits for Admission;
5. Utility Allowances;
6. Current Schedule of Routine Maintenance Charges;
7. Dwelling Lease;
8. Grievance Procedure;
9. Fair Housing Poster;
10. "Equal Opportunity in Employment" Poster;
11. Any current "Resident Notices";
12. Security Deposit Charges;
13. Rent Ranges (if applicable);
14. Transfer Policy.

XXVI. ADDITIONAL PHA POLICIES AND CHARGES:

Additional policies and charges are attached to the end of this document and are incorporated as if fully set out herein. These policies and charges may be changed from time to time, or amended, and such changes or amendments shall be substituted in this document so as to keep this policy current. All items substituted within this document shall be kept by the Canton Housing Authority in a separate file for historical and research purposes.

This policy becomes effective immediately upon adoption by the Board of Commissioners of the Housing Authority of the City of Canton, Mississippi.

Adopted by the Board of Commissioners of the Housing Authority of the City of Canton, Mississippi, on

_____ by Resolution Number _____

THE HOUSING AUTHORITY OF THE CITY OF CANTON, MISSISSIPPI
496 Dobson Avenue
Canton, MS 39046

SUBSTANTIAL DEVIATION POLICY

The Housing Authority of the City of Canton, Mississippi does recognize the need for public notification for items contained within the 5-Year and Annual Plans. This authority shall make proper notification for any "Substantial Deviation" from these plans as required under law. The exception to this definition is if the change has been made to meet regulatory compliance with The U.S. Department of Housing and Urban Development requirements.

This authority does define a "Substantial Deviation" as any:

- * Changes to rent or admissions policies or organization of the waiting list;
- * Additions of non-emergency work items not currently included in the Annual Statement or the 5-Year Action Plan or changes in use of replacement reserve funds under the Capitol Fund;
- * Additions of new activities not included in any current PHDEP Plan;
- * Any changes with regard to demolition or disposition, designation, homeownership programs or conversion activities.

These issues, if required, shall be raised with proper public notification.

This policy becomes effective immediately upon adoption by the Board of Commissioners of the Housing Authority of the City of Canton, Mississippi.

Adopted by the Board of Commissioners of the Housing Authority of the City of Canton, Mississippi, on

____March 22, 2000____ by Resolution Number ____4____.

TENANT SELECTION AND ASSIGNMENT PLAN

CANTON HOUSING AUTHORITY

496 Dobson Avenue
Canton, Mississippi 39046

Adopted by the Board of Commissioners of the Housing Authority of the City of Canton, Mississippi, on

_____ March 22, 2000 _____ by Resolution Number _____ 4 _____.

TABLE OF CONTENTS

INTRODUCTION

SECTION I. Eligibility for Admission

SECTION II. Grounds for Denial and Opportunity for Hearing

SECTION III. Selection of Applicants for Admission

SECTION IV. Application for Admission

SECTION V. Occupancy Standards

SECTION VI. Waiting List and Purging

SECTION VII. Leasing Dwelling Units

SECTION VIII. Orientation of Families

SECTION IX. Misrepresentation by the Applicant or Resident

SECTION X. Missed Appointments

SECTION XI. Terminations

SECTION XII. Definition of Terms

SECTION XIII. Tenant Selection and Assignment Plan

SECTION XIV. Compliance with Equal Opportunity Requirements for Posting Required Information

SECTION XV. Additional PHA Policies and Charges

INTRODUCTION

1. Mission Statement:

Our goal is to provide drug free, decent, safe, and sanitary housing for eligible families and to provide opportunities and promote self-sufficiency and economic independence for Residents. In order to achieve this mission, we will:

- a. Recognize Residents as our ultimate customer;
- b. Improve PHA management and service delivery efforts through effective and efficient management of PHA staff;
- c. Seek problem-solving partnerships with Residents, community and government leadership;
- d. Apply limited PHA resources to the effective and efficient management and operation of public housing programs.

2. Purpose of Policy:

The purpose of this policy (Admissions and Continued Occupancy and Tenant Selection and Assignment Plan) is to establish guidelines for the Public Housing Authority (PHA) staff to follow in determining eligibility for admission to and continued occupancy of Public Housing. This PHA will make every effort to (a) attain, to the maximum extent feasible, a Resident body in each complex that is composed of families with a broad range of income and to avoid concentrations of the most economically deprived families with serious social problems; (b) preclude admission of applicants whose habits and practices reasonably may be expected to have a detrimental effect on the Residents and/or the complex environment; (c) give a preference in selection of Applicants for residence at this PHA who qualify for a Local Preference, and (d) establish objective and reasonable policies for selection by this PHA among otherwise eligible applicants. The basic guidelines for this policy are governed by requirements of the U. S. Department of Housing and Urban Development (HUD), with latitude for local policies and procedures. The Policies and Procedures governing Admissions and Continued Occupancy are outlined in this policy and these requirements are binding upon Applicants, Residents and this PHA alike. Notwithstanding the above, changes in applicable federal law or regulations shall supersede provisions in conflict with this policy. *Federal Regulations shall mean those found in 24 Code of Federal Regulations (CFR) Part 900.*

3. 504 Equal Access Statement:

For mobility impaired persons -- a copy of this document is kept at our Administrative Office located at 496 Dobson Avenue, which is an accessible facility on an accessible route and can be examined by individuals with disabilities Monday thru Friday between the hours of 8:00 AM - 12:00 Noon and 1:00 PM - 5:00 PM, except when the office is closed on these days for holidays.

For vision impaired persons -- the Authority will provide a staff person to assist a vision impaired person in reviewing this document. Assistance may include: describing the contents of the document, reading the entire document or sections of the document, or providing such other assistance as may be needed. Please call 859-4032 to set up an appointment.

For the hearing impaired -- if any individual with a hearing impairment is interested in examining this document or has questions concerning this document, please call 859-4032 or come to the Administrative Office to set up an appointment. The Authority will provide assistance to the hearing impaired that may include the provision of a sign language interpreter at a time convenient to both the Authority and the hearing impaired individual.

Assistance to insure equal access to this document will be provided in a confidential manner and setting. The disabled individual is responsible for providing his/her own transportation to and from the location where this document is posted (496 Dobson Avenue).

All hearings or meetings required by this document will be conducted in an accessible location with appropriate assistance provided if a disabled individual is involved. The disabled individual is responsible for providing his/her own transportation to and from the hearing or meeting location.

TENANT SELECTION AND ASSIGNMENT PLAN

I. ELIGIBILITY FOR ADMISSION

Any family or individual may apply for housing at the Administrative Office of the Canton Housing Authority located at 496 Dobson Avenue, Canton, MS., between the hours of 9:00 AM - 11:00 AM and 1:30 PM - 4:00 PM, on the second, third and fourth (2nd, 3rd, 4th) Thursday of the month UNLESS application taking is suspended due to the volume of applications currently on file. During periods where application taking is suspended the PHA will maintain a list of names, addresses, and telephone numbers of interested persons. Although this list would not constitute a "waiting list" for occupancy purposes, those interested will be notified when application taking resumes. All those on the list will be notified simultaneously.

A written application for housing must be completed by the Applicant and submitted to the PHA before a household can be considered for low income public housing. In the application shall be set forth ALL information necessary for the PHA to determine whether the family meets the eligibility requirements for admission. EVERY APPLICANT WILL BE REQUIRED TO FURNISH SOCIAL SECURITY NUMBERS AND PROOF OF BIRTH DOCUMENTATION ON ALL FAMILY MEMBERS OVER THREE (3) MONTHS OLD, SIGN CONSENT FORMS FOR RELEASE OF INFORMATION (ALL FAMILY MEMBERS 18 YEARS OF AGE AND OLDER), AND ALL ADDITIONAL FORMS AS REQUIRED BY THE U. S. DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT (HUD) AND THE HOUSING AUTHORITY (PHA).

Sources of information for eligibility determination may include, but are not limited to, the Applicant (by means of interviews or home visits), landlords, employers, family social workers, parole officers, court records, drug treatment centers, clinics, physicians or police departments where warranted by the particular circumstances. Information relative to the acceptance or rejection of an applicant shall be documented and placed in the applicant's file. Such documentation may include reports of interviews, letters, or telephone conversations with reliable sources. As a minimum, such reports shall indicate the date, the source of the information, including the name and title of the individual contacted, and a resume of the information received.

Applicants are not automatically determined eligible to receive federal assistance. An application will not be placed on a waiting list or offered a public housing unit under the following circumstances: If the Applicant's annual family income exceeds the Low and Very Low Income Limits established by HUD and published in the Federal Register, the Applicant will be declared ineligible.

If the Applicant has failed to meet any outstanding requirements for eligibility and is determined ineligible, he/she will be so informed and the reasons stated in writing. The Applicant will be granted ten (10) days from the date stated on the ineligible letter to request an informal meeting. The Applicant may bring any person he/she wishes to represent him/her at the informal meeting. The request for an informal meeting must be submitted in writing and MUST be received by the PHA within the time frame established by the PHA for the meeting.

In addition, under Section 24 CFR 912.3, the PHA is permitted to determine as eligible, single persons living alone or intending to live alone who do not meet any of the definitions of a family (Ref CFR 912.2), if the PHA makes certain that all three of the following requirements are met: (1) Elderly families (including Disabled Persons and Handicapped Persons) and Displaced Persons are given preference over single persons, (2) Near elderly (at least 50 years of age, but below the age of 62) are given preference over single Applicants in developments designated for the elderly, and (3) Single persons are only eligible for one bedroom and/or efficiency units.

Declaration of Citizenship: Section 214 of the Housing and Community Development Act of 1980 prohibits PHAs from making financial assistance available to a person other than United States citizens, nationals, or certain categories of eligible noncitizens in HUD'S assisted housing programs. This Law is referred to as the "Noncitizen Rule" and is effective June 19, 1995.

Once an Applicant becomes a Resident in the PHA's public housing program, the Head of Household must request permission, in writing, to add another person to the Dwelling Lease. The person being added must meet all eligibility requirements before the PHA will approve any additions to the Dwelling Lease.

To be eligible for admission to low-rent public housing operated by this PHA, Applicants must meet ALL the following:

- (a) Applicants must qualify as a Family, as defined herein;
- (b) Applicant's total Annual Income, as defined herein, cannot exceed income limits provided by HUD;
 - (1) Eighty Percent (80%) of the median income for the area for those units that were available for occupancy before October 1, 1981;
 - (2) Fifty Percent (50%) of the median income for the area for those units that became available for occupancy on or after October 1, 1981, unless exception is made by HUD to admit families in the Eighty Percent (80%) of the median income to such units.
- (c) Habits or practices of Applicants must meet PHA standards. Relevant information to be considered when making this determination may include, but is not limited to:
 - (1) An Applicant's past performance in meeting financial obligations, especially rent;
 - (2) A record of disturbance of neighbors, destruction of property, or living or housekeeping habits at prior residences which may adversely affect the health, safety, or welfare of other Residents; and
 - (3) A history of criminal activity involving crimes of physical violence to persons or property and other criminal acts which would adversely affect the health, safety, or welfare of other Residents.
- (d) In the event unfavorable information is obtained relative to habits and practices of Applicants, consideration shall be given to the time, nature, and extent of the Applicant's conduct and to the factors which might indicate a reasonable probability of favorable future conduct of financial prospects, such as:
 - (1) Evidence of rehabilitation;
 - (2) Evidence of the Applicant family's participation in, or willingness to participate in, social service or other appropriate counseling service programs and the availability of such a program;
 - (3) Evidence of the Applicant family's willingness to attempt to increase family income and the availability of training or employment programs in the locality.
- (e) Applicants must conform to the occupancy standards as established herein.

Denial of Admission: The PHA is NOT required, nor obligated, to assist families who:

- (a) Owe rent, other amounts, or judgment(s) to any PHA or any other federally subsidized housing program and the Applicant will be declared ineligible. At the PHA's discretion, the Applicant may be declared eligible upon payment of debt, with the date and time of application being the time of payment and meeting other criteria.

(Note: Applicants that owe a PHA or any other federally subsidized program funds will not be processed for occupancy. The applicant must pay the funds prior to the application being processed. After the application is processed, the Applicant must meet all other conditions for occupancy. Repaying funds that are due does not necessarily qualify an Applicant for occupancy. Such payments will be considered along with other factors in the application process. Any money owed to a PHA which has been discharged by bankruptcy shall not be considered in making this determination.)

- (b) Have previously been evicted from public housing.
- (c) Committed acts which would constitute fraud in connection with any federally assisted housing program.
- (d) Did not provide information required within the time frame specified during the application process.
- (e) Convicted of drug-related criminal activity or violent criminal activity.
- (f) Has a history of not meeting financial obligations, especially rent.
- (g) Has a record of disturbance of neighbors, destruction of property, or living or housekeeping habits which may adversely affect the health, safety or welfare of the other Residents.
- (h) Has a history of criminal activity involving crimes of physical violence to persons or property and other criminal activity which may adversely affect the health, safety or welfare of other Residents.
- (i) During the interview process the Applicant demonstrates hostile behavior that indicates that the prospective Applicant may be a threat to the public housing Residents.
- (j) The Applicant family must have properly completed all application requirements, including verifications. Intentional misrepresentation of income, family composition, or any other information affecting eligibility will result in the family being declared ineligible. In the event the misrepresentation is discovered after admission, the Dwelling Lease will be terminated for such misrepresentation.
- (k) The Applicant and all adults must sign a release allowing the PHA to request a copy of a police report from the National Crime Information Center, Police Department or other Law Enforcement Agencies. If the PHA uses the information to deny or terminate assistance the PHA must inform the Applicant.
- (l) If the Applicant is a former Public Housing or Section 8 participant who vacated the unit in violation of his/her Dwelling Lease, he/she will be ineligible for housing at this PHA.
- (m) If the PHA determines that a person is illegally using a controlled substance or abuses alcohol in a way that may interfere with the health, safety, or right to peaceful enjoyment of the premises by other Residents. The PHA may waive this requirement if:
 - (1) The person demonstrates to the PHA's satisfaction that the person is no longer engaging in drug-related criminal activity or abuse of alcohol;
 - (2) Has successfully completed a supervised drug or alcohol rehabilitation program;
 - (3) Has otherwise been rehabilitated successfully; or
 - (4) Is participating in a supervised drug or alcohol rehabilitation program.

(Note: The above list is not intended to be all inclusive. Applicants may be denied admission if the PHA has reason to believe that the conduct of the Applicant has been such as would be likely to interfere with other Residents in such a manner as to diminish their enjoyment of the premises by adversely affecting their health, safety, or welfare or to affect adversely the physical environment or the financial stability of the complex if the Applicant were admitted to the complex.)

If an Applicant is denied admission, the PHA will notify the applicant, in writing, of its determination and inform the Applicant that they have an opportunity for an informal meeting on such determination. The denial letter will allow the Applicant ten (10) calendar days to request (in writing) an informal meeting with the PHA. A PHA representative will hear the appeal and issue a decision within ten (10) calendar days of the meeting.

As a general rule Applicants may be denied admission to public housing for the following time frames:

- (a) Denied admission for one (1) calendar year for the following:
 - (1) Past rental record (bad rent paying habits)
 - (2) Bad housekeeping habits, inside and outside the unit including damages to the dwelling
 - (3) Disturbances
 - (4) Illegal live-ins
 - (5) Demonstrates hostile behavior during the interview process that indicates that the Applicant may be a threat to Residents in the complex.
- (b) Denied admission for three (3) calendar years for the following: Persons evicted from public housing, Indian Housing, or Section 8 programs because of drug-related criminal activity are ineligible for admission to public housing beginning on the date of such eviction. The PHA may waive this requirement if the person demonstrates to the PHA's satisfaction successful completion of a rehabilitation program approved by the PHA, or the circumstances leading to the eviction no longer exists.
- (c) Denied admission for five (5) calendar years for the following:
 - (1) Fraud (giving false information on the application is considered fraud);
 - (2) An arrest record that indicates that the Applicant may be a threat and/or negative influence on other residents;
 - (3) Drug use without evidence of rehabilitation.

- (d) Denied admission for ten (10) years for conviction for drug trafficking.

As noted above these time frames are only guidelines and the PHA may deny admission to any individual whose behavior may adversely affect the health, safety or welfare of other Residents or may admit persons who exhibit evidence of rehabilitation.

II. GROUNDS FOR DENIAL AND OPPORTUNITY FOR HEARING: If the PHA determines that an applicant does not meet the criteria for receiving housing, the PHA must promptly provide the Applicant with written notice of the determination. The notice must contain a brief statement of the reasons for the determination, and state that the Applicant has the right to meet with the PHA's designee to review it. If requested, the meeting must be conducted by a person or persons designated by the PHA. The person designated by the PHA to conduct the informal hearing shall be an impartial person appointed by the PHA other than a person who made the approval of the PHA's action under review or a subordinate of such person. The procedures specified in this section must be carried out in accordance with HUD's requirements. The Applicant may exercise other rights if the Applicant believes that he/she has been discriminated against on the basis of race, color, religion, sex, handicap, age, familial status or national origin.

III. SELECTION OF APPLICANTS FOR ADMISSION

- (a) Governing conditions:

- (1) This PHA will give full consideration to preferences set by the Board of Commissioners of the Housing Authority of The City of Canton, MS. and/or as mandated by Federal Regulations;
- (2) Preferences will be extended in the following manner:
 - a. Applicants who are elderly, handicapped and/or disabled;
 - b. Applicants who are employed;
 - c. Applicants who are currently enrolled in an educational, training or upward mobility program;
 - d. Applicants who are homeless;
 - e. Applicants who are involuntarily displaced;
 - f. Applicants who are currently living in substandard housing;
 - g. Applicants who are victims of domestic violence;
 - h. Veterans: Active, Retired or honorably discharged (with evidence of DD214);
 - i. Applicants who are paying more than Fifty percent (50%) of family income for rent and utilities;
 - j. Applicants living in overcrowded housing;
 - k. All others.

- (3) Resident selection and Applicant processing system shall be:

- a. This Housing Authority will not, on account of race, color, religion, creed, sex, national origin, handicap, age or familial status, deny to any family the opportunity to lease or rent a Dwelling Unit suitable to its needs in any complex of the PHA. Resident selection shall be designed to void concentration of the most economically and socially deprived families in any or all of the PHA's low income housing complexes.
- b. Application Processing System in General. Applications will be taken and filed in a Central Application Pool which will be maintained by bedroom size and date and time of application, and eligibility of preferences. Residents will be selected from among eligible applicants for dwellings of given sizes. Applicants who are determined eligible for Local Admission Preference will be given that preference and it will be so noted that they are eligible for a Local Admission Preference. Applicants claiming the same local admission preference will be selected by bedroom size and date and time. These local admission preferences are given in order of priority as listed above. However, to meet the federal regulations for deconcentration and income-mix targeting, the CHA shall, as necessary, advance any given applicant to the top of the list as provided and allowed by the current and existing laws and regulations governing deconcentration and income targeting within public housing.

IV. APPLICATION FOR ADMISSION

- (a) Information Required: Prior to the admission of each family as a Resident or entry on the waiting list, a written application signed by a responsible member of the family (responsible being 21 years of age or older) shall be obtained. In the case of the Applicant being under the age of 21, emancipation forms signed by a judge of the proper court must be furnished. The application will set forth all data and information necessary for the PHA to determine whether the family meets the eligibility requirements for admission. Verification of employment and income, earned and nonearned (including in-kind income) is needed, including appropriate documentation to substantiate the determination of total family income. Data and/or verifications as essential to substantiate the determination of net family income shall be made a part of the record of each application with all other materials relating to eligibility.
- The PHA shall also require each and every member of the applicant household to provide the following documents:
- (1) A valid Social Security Number, or eligible non-citizen registration certification;
 - (2) A picture ID for all applicants over 21 years of age;
 - (3) An Original Birth Certification or an approved form verifying live birth;
 - (4) Any other documents required under law or regulation.

In addition to other pertinent information, each "Application for Admission" shall indicate the date of receipt; the determination of the PHA as to eligibility or noneligibility of the Applicant; where eligible, the unit size for which eligible; the preference eligibility; the date of assignment to a Dwelling Unit and identification of unit to which assigned; and, where applicable, the date of the PHA's record with respect to inquiries from families prior to commencement of formal application taking shall indicate, as to each family, the date of inquiry, the name and address, or whatever further information is obtained, determination made, or action taken by the PHA with respect to such family. The registration does not establish the date and time of application for the purpose of determining standing on the waiting list. The PHA's adopted Tenant Selection

and Assignment Plan, as accepted by the U. S. Department of Housing and Urban Development, will be posted in the office where applications are taken.

- (b) Changes in Information Provided to PHA: It is the **Applicant's** responsibility to notify the PHA of any information on the application which changes after the application is completed. Changes in Local Preference status, income, or family composition can alter eligibility or standing on the waiting list. Therefore, Applicants who fail to notify this PHA of changes may adversely affect their eligibility for housing.
- (c) Verification of Eligibility: It is the responsibility of the **Applicant** to provide the PHA with appropriate documentation to determine eligibility. Verification for all types of family income, including but not limited to, wages, social security and SSI payments, retirement pensions, VA pensions, TANF, grants, gifts of money, and child support payments. It is also the **Applicant's** responsibility to provide appropriate documentation of allowable deductions, including but not limited to, child care and medical expenses. As part of the application record of such applicant determined to be eligible for admission, the Executive Director or a designated representative is to certify that, on the basis of the PHA's investigation, the Applicant and his/her family meet all of the conditions governing eligibility. It is the responsibility of the PHA to verify the Applicant's Local Preference eligibility. If the disability/handicap exists, PHA has authorization to verify information regarding an Applicant's disability to determine appropriate accommodation, qualification for a preference, housing assignment and/or income deduction. The Applicant is not required to reveal the existence of a disability and the PHA may not inquire about a disability if none is revealed by the Applicant.
- (d) Notification of Eligibility: The PHA shall promptly notify the Applicant in writing of his/her eligibility or ineligibility. Any Applicant determined ineligible for housing based on eligibility factors shall be advised of the specific reason for ineligibility. Eligibility, or ineligibility, for Local Preference will be assigned by the PHA at the time of initial application for Local Preference. The PHA will verify Local Preference just prior to admission. Applicants may reapply for Local Preference at any time during the application process. This PHA understands that preference, or lack of preference, can change at any time. Applicants will be notified in writing of their preference eligibility or ineligibility based solely on information provided, not verification by the PHA.
- (e) Security Deposits: Before moving into a unit, a Security Deposit must be made to this PHA. The amount of the Security Deposit will be the latest amount adopted by the members of the Board of Commissioners of this PHA.

V. OCCUPANCY STANDARDS

To avoid overcrowding and prevent waste of space, dwellings are to be leased in accordance with the occupancy standards set forth below. In the event, however, there should be dwellings which cannot be filled with families of appropriate size, after all possible efforts have been made to stimulate and obtain applications, eligible families of the most nearly appropriate size will be assigned them with the understanding that the families will be transferred to units of the proper size at the earliest possible date. Nonelderly families should not be admitted to units built for "elderly" occupancy unless it is necessary because of lack of applications from the elderly families for the appropriate size units. Regular units may be occupied by elderly, or nonelderly, families.

<u>NUMBER OF BEDROOMS</u>	<u>NUMBER OF PERSONS</u>	
	<u>MINIMUM</u>	<u>MAXIMUM</u> *
1	1	2
2	2	4
3	4	6
4	6	8

* The Maximum number of persons may be exceeded to permit a child up to two (2) years of age to share the parent's bedroom.

Separate bedrooms will be assigned persons of different generations, as well as a family member who has a verified physical or mental handicap. In determining unit size this PHA will include children expected to be born to pregnant females, children who are in process of being adopted by an adult, children whose custody is being obtained by an adult, children who are temporarily absent from home due to placement in foster care, and foster children. Families will be given an option for a child who is away at school, but lives with the family during school recesses, and if the family opts for space, income of the child will be counted for rent purposes. Space will not be provided for family members in military service. When it is found that the size of the Dwelling Unit is no longer suitable for the family, the family will be required to transfer as soon as a Dwelling Unit of appropriate size becomes available. To the maximum extent possible, needed transfers to Dwelling Units of appropriate size will have precedence over new admissions. The above standards are to be maintained insofar as possible at admission and continued occupancy. However, relaxation from such standards may be approved by the Executive Director if individual circumstances warrant. Relaxations from such standards may be permitted as follows:

- (a) Dwellings shall be so assigned that persons of opposite sex, other than husband and wife, will not occupy the same bedroom, except for minors under the age of five (5) years;
- (b) Three (3) small children of the same sex may share the same bedroom in the larger units;
- (c) Dwellings shall be so assigned as not to require the use of the living room for sleeping purposes;
- (d) Teenagers, regardless of sex, will not be required to share a parent's bedroom;
- (e) In the case of chronic illness, or other physical infirmity, a deviation from the occupancy guidelines, as presented above, is permissible when justified with evidence and documentation from a licensed physician;
- (f) Relaxation of these standards may be approved by the Executive Director if circumstances warrant.
- (g) In no event may a single person be provided a housing unit of two (2) or more bedrooms (except in the case of (e) above).

VI. WAITING LIST AND PURGING [24 CRF 960.204(a)]

The waiting list of the PHA will be purged at least once each year. This is accomplished by mailing a questionnaire to each applicant on file, a request to verify all information and that the family desires to remain on the waiting list. If the applicant fails to respond within 30 calendar days, the family will be removed from the waiting list. If the letter is returned by the Post Office without a forwarding address, the applicant will be removed without

further notice and the envelop will be maintained in the file.

If the applicant is removed from the waiting list for a failure to respond, they will not be entitled to reinstatement unless a person with a disability requests a reasonable accommodation for being unable to reply within the prescribed time frame. The applicant will be placed in an inactive file. Upon personal appearance, the application can be pulled, updated with the current information and returned to the active waiting list with the new date and time documented for future consideration of housing assistance. If, the Executive Director determines that a reasonable hardship exists which prevented the timely response within the thirty (30) calendar day period, the applicant may continue their previous placement on the waiting list.

VII. LEASING DWELLING UNITS

- (a) A Dwelling Lease agreement shall contain the names of all members of the household and shall be signed by head (and spouse when applicable), as well as all other household members 18 years of age and older, of each family accepted as a Resident and by an authorized agent of the Housing Authority prior to admission. Head of Household - if under 21 years of age - must have emancipation forms signed by a Judge of the Court.
- (b) If a Resident transfers from one Dwelling Unit to another, a Dwelling Lease addendum must be executed for the Dwelling Unit to be occupied.
- (c) If at any time there is a change in the Resident's status which requires a change in, or amendment of, any provision of the Dwelling Lease, an appropriate rider (Dwelling Lease Addendum) will be prepared and made a part of the existing Dwelling Lease. All copies of such riders will be dated and signed by the Resident and an authorized agent of the PHA. In the case of a "Notice of Rent Adjustment", the form will be signed by the Resident and an authorized agent of the PHA. In the case of the Resident not being available to sign this form within three (3) working days of issuance, it will be signed by an authorized agent of the PHA, mailed first class postage to the Resident's Dwelling Unit address at the Canton Housing Authority, and so noted on the Administrative office copy.

VIII. ORIENTATION OF FAMILIES: The purpose of orientation of families (briefing) is to cover the occupancy requirements for the Resident, as well as, the PHA and will be conducted as follows:

- (a) Once the PHA determines that an Applicant is eligible for housing, and his/her name is next on the waiting list, the PHA shall offer a Dwelling Unit to the Applicant. The Applicant shall be given an opportunity to view the unit prior to the signing of the Dwelling Lease and other documents required before occupancy. After the offer is made and after this viewing, and when the offer is accepted, a PHA representative will schedule an appointment with the prospective Resident, for orientation.

(NOTE: An Applicant can reject an offer one (1) time before losing his/her place on the waiting list. If the offer is refused, his/her application will go to the bottom of the waiting list and the refusal date and time will be so noted on the application. The Applicant will be told of this at the time of refusal of the unit.)

- (b) The applicable deposit, unpaid rent and other charges, (if applicable), will be collected as soon as possible after the briefing is scheduled, and before the briefing is held. At no time will a move-in be allowed before the security deposit and rent due is paid in full, (with the exception of a person who is elderly, disabled or on fixed income per the decision of the Board of Commissioners of this PHA. In this case, ½ of the security deposit must be paid before move-in and the other ½ of the security deposit will be paid with the immediate next month's rent).
- (c) At the briefing, the Lease and Grievance Procedure is explained in detail to the applicant(s) (there can be more than one family at the briefing).
- (d) The signing of ALL required documents is to be privately handled at the end of each briefing;

- (1) The required occupancy forms are explained at that time and the Dwelling Lease is signed by the Applicant and the PHA;
- (2) Appointment for move-in is scheduled at the end of the lease signing.

- (e) All adult family members are required to attend the briefing when they are initially accepted for occupancy. No family will be housed if they have not attended this briefing. Failure to attend a scheduled briefing (without written notice to the PHA) will result in the family's application being placed in the inactive file and the family may be required to reapply for assistance. Applicants who provide prior notice of an inability to attend a briefing will be rescheduled. Failure of an applicant to keep a scheduled check-in, without good cause, may result in the cancellation of the occupancy process and the Applicant required to reapply for assistance.

- (f) Format of Briefing: The Applicant will be provided a copy of the Dwelling Lease, along with the enclosures. The provisions of the documents are explained to the Applicant in full. The adult member(s) will be required to execute the Dwelling Lease prior to admission. One executed copy will be furnished the Applicant and the original executed copy is to be retained in the Resident file established for the family in the Administrative Office.

When a household transfers to another unit at this PHA, a rider (with all required pertinent information) will be executed for the new unit. If at any time during residency any other changes in the Resident's status results in the need to change or amend any provision of the Dwelling Lease, a rider will be executed. This rider will be signed by both the Resident and a PHA representative. A duplicate form of acknowledgment and understanding which lists all items of which the Resident has been informed shall be signed by the Resident and the PHA representative. A copy of this rider will be attached to the Resident's copy of the Dwelling Lease along with copies of items as referred to an executed copy maintained in the Resident's file in the Administrative Office.

IX. MISREPRESENTATION BY THE APPLICANT OR RESIDENT: If an Applicant or Resident is found to have made willful misrepresentations which resulted in the Applicant or Resident being classified as eligible, when, in fact, they were ineligible, Applicant will be declared ineligible and the Dwelling Lease and/or application will be terminated because of the misrepresentation by the Applicant/Resident. If such misrepresentation resulted in Resident paying a lower rent than was appropriate, Resident shall be required to pay the difference between the actual payments and the amount which should have been paid. In justifiable instances, the PHA may take such other actions as it deems appropriate, including referring the Resident to the proper authorities for possible criminal prosecution.

X. MISSED APPOINTMENTS: An Applicant or Resident who fails to keep an appointment without notifying the PHA and without re-scheduling the appointment shall be sent a notice of termination of the process for failure to supply such certification, release of information or documentation as the PHA or HUD determines to be necessary (or failure to allow the PHA to inspect the Dwelling Unit at reasonable times and after reasonable notice, if applicable) in the following situations:

- (a) Complete Application
- (b) Bringing in Verification Information
- (c) Briefing prior to Occupancy
- (d) Leasing Signature
- (e) Inspections
- (f) Recertification
- (g) Interim Adjustment
- (h) Other Appointments or Requirements to bring in Documentation as Listed in this Plan
- (i) Scheduled Counseling Sessions
- (j) Move-In Appointments

Process When Appointment(s) Are Missed: For most of the functions above, the family may be given two (2) appointments:

- (a) If the family does not appear or call to reschedule the appointment(s) required, the PHA may begin termination procedures. The applicant or resident will be given an opportunity for an informal meeting or hearing, as appropriate pursuant to the grievance process.
- (b) If the representative of the PHA and/or Hearing Officer makes a determination in favor of the Applicant/Resident, the PHA will comply with the decision unless the provisions of the Grievance Procedure is applicable to the Hearing Officer's decision;

Letters Mailed to Applicants by the PHA: If an Applicant claims they did not receive a letter mailed by the PHA, that requested the Applicant to provide information or to attend an interview, the PHA will determine whether the letter was returned to the PHA. If the letter was not returned to the PHA, the applicant will be assumed to have received the letter. If the letter was returned to the PHA and the Applicant can provide evidence that they were living at the address to which the letter was sent, the Applicant will be reinstated with the date and time of the application in effect at the time the letter was sent. Applicants must notify the PHA, in writing, if their address changes during the application process.

XI. TERMINATIONS: This PHA is committed to providing decent, safe, and sanitary housing to all Residents residing in the housing it administers. This PHA will evict any Resident who causes harm to other Residents, employees, security personnel, or to the complex environment.

(a) Evictions by the Housing Authority: The following are *SOME* of the reasons this PHA will file for Resident eviction in accordance with the Dwelling Lease:

- (1) Destruction of property;
- (2) Unclean and/or unsanitary housekeeping,
- (3) Illegal activity,
- (4) Unauthorized persons living in the unit who are not visitors,
- (5) Failure to respond to notices or any repeated notice and not to abide by PHA policies;
- (6) Refusal to sign forms as required by the regulations of HUD and/or the Canton Housing Authority;
- (7) Repeated violation of regulations (A written warning will be furnished the Resident informing them that the next violation will result in eviction from the unit and termination of the Dwelling Lease), and
- (8) Failure to comply with any/all regulations as required, including, but not limited to, payment of all funds due the PHA.

(b) Visitors: Families are welcome to have visitor(s)/guest(s), *HOWEVER*, any visitor/guest who stays longer than ten (10) days, must be reported to the PHA. If visitors/guests are not reported, this PHA will presume that they are unauthorized household members not on the Dwelling Lease, and eviction proceedings will be initiated. Residents are reminded that they are responsible for the actions of their visitors/guests and for any damages done by their visitors/guests.

(c) Terminations by the Resident: Resident may terminate the Dwelling Lease by notifying the PHA in writing thirty (30) days in advance of vacating the premises. Noncompliance will result in the loss of the Security Deposit.

XII. DEFINITION OF TERMS

1. Adjusted Family Income: Adjusted income is annual gross income less:

- (a) \$480.00 for each dependent under 18 years of age;
- (b) \$480.00 for each dependent 18 years of age and older when dependent is a student (must be verified);
- (c) \$400.00 for any Elderly Family;
- (d) For any family that is not an Elderly Family, but has a member with a handicap or disability (other than the Head of Household or Spouse), Handicapped Assistance Expenses in excess of three (3) percent of an Annual Income is allowed, but this allowance may not exceed the employment income received by family members who are not 18 years of age or older as a result of the assistance to the member with a handicap or disability;
- (e) For any Elderly Family:
 - 1. That has no Handicapped Assistance Expenses, an allowance for medical expenses equal to the amount by which the Medical Expenses exceed three (3) percent of Annual Income;
 - 2. That has Handicapped Assistance Expenses greater than or equal to three (3) percent of Annual Income, an allowance for Handicapped Assistance Expenses computed in accordance with paragraph (4) of this section, plus an allowance for medical

expenses that is equal to the Family's Medical Expenses;

3. That has Handicapped Assistance Expenses that are less than three (3) percent of Annual Income, an allowance for combined Handicapped Assistance Expenses and medical expenses that is equal to the amount by which the sum of these expenses exceeds three (3) percent of Annual Income; and

(f) Reasonable Child Care expenses for children under thirteen (13) years of age .

2. Adult: A person who has reached his/her 21st birthday or 18 years of age and married (NOT COMMON LAW), or who has been relieved of the disability of non-age (emancipation) by court. Only persons who are adults shall be eligible to enter into a lease agreement for occupancy.

3. Alien: A person born in a foreign country, who owes his/her allegiance to that country.

4. Annual Family Income: Annual Income is the anticipated Gross Income from all sources received by the Head of Household, Spouse (even if temporarily absent) and by each additional member of the family, including all net income derived from assets, for the twelve (12) month period following the effective date of initial determination or reexamination of income, exclusive of certain types of income as provided for in paragraph (2) of this section.

(a) Income includes, but is not limited to:

- (1) The full amount, before any payroll deductions, of wages and salaries, overtime pay, commissions, fees, tips, and bonuses, and other compensation for personal services;
- (2) The net income from operation of a business or profession. Expenditures for business expansion or amortization of capital indebtedness shall not be used as deductions in determining net income. An allowance for depreciation of assets used in a business or profession may be deducted, based on straight line depreciation, as provided in Internal Revenue Service regulations. Any withdrawal of cash or assets from the operation of a business or profession will be included in Income, except to the extent the withdrawal is reimbursement of cash or assets invested in the operation by the family;
- (3) Interest, dividends, and other net income of any kind from real or personal property. Expenditures for amortization capital indebtedness shall not be used as a deduction in determining net income. An allowance for depreciation is permitted only as authorized in paragraph (1) b of this section. A withdrawal of cash or assets from an investment will be included in income, except to the extent the withdrawal is reimbursement of cash or assets invested by the family. Where the family has net family assets in excess of \$5,000.00, Annual Income shall include the greater of the actual income derived from all net family assets based on the current passbook savings rate, as determined by HUD.
- (4) The full amount of periodic payments received from Social Security, annuities, insurance policies, retirement funds, pensions, disability or death benefits and other similar types of periodic receipts, including a lump sum payment for the delayed start of a periodic payment - with the exception of Social Security which is to be excluded;
- (5) Payment in lieu of earnings, such as unemployment and disability compensation, worker's compensation, and severance pay (see paragraph (1) d above).
- (6) Welfare assistance payments or other payments to families or individuals based on need, that are made under programs funded separately or jointly by Federal, State, or local governments. If the welfare assistance payment includes an amount specifically designated for shelter and utilities that are subject to adjustment by the welfare assistance agency in accordance with the actual cost of shelter and utilities, the amount of welfare assistance income to be included as income shall consist of:
 - (a) The amount of the allowance or grant exclusive of the amount specifically designated for shelter or utilities, plus
 - (b) The maximum amount that the welfare assistance agency could in fact allow the family for shelter and utilities. If the family's welfare assistance is ratably reduced from the standard of need by applying a percentage, the amount calculated under this paragraph shall be the amount resulting from one application of the percentage;
- (7) Periodic and determinable allowances, such as alimony and child support payments, and regular contributions or gifts received from persons not residing in the Dwelling Unit;
- (8) All regular pay, special pay and allowances (such as longevity, overseas duty, rental allowances for dependents, etc.) received by a member of the Armed Forces (whether or not living in the unit) who is head of the household, spouse, or other family member whose dependents are residing in the unit (exception: see *Hazardous Duty* herein).
- (9) Relocation payments made pursuant to Title II of the Uniform Relocation Assistance and Real Property Acquisitions Policies Act of 1970.

(b) Annual Income does not include the following:

- (1) Income from employment of children (including foster children) under eighteen (18) years of age;
- (2) Payments received for the care of foster children;
- (3) Lump sum payments received by a family such as inheritance and insurance settlements (including payments under health and accident insurance and worker's compensation) are considered assets. Capital gains and settlements of personal or property losses are also considered assets;
- (4) Amounts received by the family that are especially for, or in reimbursement of, the cost of medical expenses for any family member;
- (5) Income of a live-in aide, as defined in this section;
- (6) Amounts of educational scholarships paid directly to the student or the educational institution, and amount paid by the Government to a veteran for use in meeting the cost of tuition, fees, books, equipment, materials, supplies, transportation, and miscellaneous personal expenses of the student. Any amount of such scholarship not used for the above purposes is counted as income;
- (7) The special pay to a family member serving in the Armed Forces who is exposed to hostile fire;
- (8) Amounts received under training programs funded by the U. S. Department of HUD;
- (9) Amounts received by a disabled person that are disregarded for a limited time for purposes of SSI eligibility and benefits because they are set aside for use under a Plan to Attain Self-Sufficiency (PASS);
- (10) Amounts received by a participant in other publicly assisted programs which are specifically for, or in reimbursement of, out-of-pocket

expenses incurred (special equipment, clothing, transportation, child care, etc.) and which are made solely to allow participation in a specific program;

- (11) Temporary, nonrecurring or sporadic income (including gifts);
- (12) Amounts specifically excluded by any other Federal Statute from consideration as income for purposes of determining eligibility or benefits under a category of assistance programs that includes assistance under the United States Housing Act of 1937. A notice will be published in the Federal Register and distributed to housing authorities identifying the benefits that qualify for this exclusion. Updates will be published and distributed when necessary. As of June 1, 1993, the following list of program benefits is the comprehensive list of benefits that currently qualify for the income exclusion stated in 24 CFR 215.21(c)(11), 236.3(c)(11), 813.106(c)(11), 905.102, and 913.106(c)(11) (including incremental increases in income for State or local employment training programs):
 - (a) The value of the allotment provided to an eligible household under the Food Stamp Act of 1977 (42 U.S.C. 2017(b));
 - (b) Payments to Volunteers under the Domestic Volunteer Services Act of 1973 (42 U.S.C. 5044(g), 5058);
 - (c) Payments received under the Alaska Native Claims Settlement Act (43 U.S.C. 1626(a));
 - (d) Income derived from certain submarginal land of the United States that is held in trust for certain Indian Tribes (25 U.S.C. 459(e));
 - (e) Payments or allowances made under the Department of Health and Human Services' Low-Income Home Energy Assistance Program (42 U.S.C. 8624(f));
 - (f) Payments received under programs funded in whole or in part under the Job Training Partnership Act (29 U.S.C. 1552(b));
 - (g) Income derived from the disposition of funds of the Grand River Band of Ottawa Indians (Pub. L. 94-540, 90 Stat. 2503-04);
 - (h) The first \$2,000.00 of per capita shares received from judgment funds awarded the Indian Claims Commission or the Court of Claims (25 U.S.C. 1407-08) or from funds held in trust for an Indian tribe by the Secretary of the Interior (25 U.S.C. 117(b), 1407);
 - (i) Amounts of scholarships funded under Title IV of the Higher Education Act of 1965, including awards under the Federal work-study program or under the Bureau of Indian Affairs student assistance programs, that are used to cover the cost of attendance at an educational institution (24 CFR 215.1 (c)(6), 813.106(c)(6), 913.106(c)(6), and 20 U.S.C. 1087 uu);
 - (m) Payments received from programs funded under Title V of the Older Americans Act of 1965 (42 U.S.C. 3056(f));
 - (n) Payments received on or after January 1, 1989, from the Agent Orange Settlement Fund or any other fund established pursuant to the settlement in the *In Re Orange* product liability litigation M.D.L. No. 381 (E.D.N.Y.);
 - (o) Payments received under the Maine Indian Claims Settlement Act of 1980 (Pub. L. 96-420, 94 Stat. 1785);
 - (p) The value of any child care provided or arranged (or any amount received as payment for such care or reimbursement for costs incurred for such care) under the Child Care and Development Block Grant Act of 1990 (42 U.S.C. 985q);
 - (q) Earned income tax credit (EITC) refund payments received on or after January 1, 1991 (26 U.S.C. 32 (j));
 - (r) Relocation payments made pursuant to Title II of the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970 (42 U.S.C. 4636).
 - (s) Compensation from State or local employment training programs and training of a family member as resident Management staff. Amounts excluded by this provision must be received under employment training programs with clearly defined goals and objectives, and are excluded only for a limited period as determined in advance by the PHA.
 - (t) For all initial determinations and re-examinations of income carried out on or after April 23, 1993, reparation payments paid by a foreign government pursuant to claims filed under the laws of that government by persons who were persecuted during the Nazi era.
 - (u) Earnings in excess of \$480.00 for each full-time student 18 years old or older (excluding the head of household and spouse).
 - (v) Adoption assistance payments in excess of \$480.00 per adopted child.
 - (w) Amounts received by the family in the form of refunds or rebates under State or local law for property taxes paid on the Dwelling Unit.
 - (x) Amounts paid by a State agency to a family with a developmentally disabled family member living at home to offset the cost of services and equipment needed to keep the developmentally disabled family member at home.

If it is not feasible to anticipate a level of income over a twelve (12) month period, the income anticipated for a shorter period may be annualized, subject to a redetermination at the end of the shorter period.

5. **Applicant:** Any person who submits an application for housing requiring PHA approval as a condition of eligibility.
6. **Basic Eligibility:** An Applicant who meets all of the eligibility requirements of the housing assistance for which an application is made in order to obtain the housing assistance. At a minimum, the Applicant must be a family, and must be income-eligible. Eligible Applicants include single persons who are not elderly persons, or displaced persons, or persons with disabilities.
7. **Break-Ins:** A bona fide attempt at burglary which is reported to the police department and subject to verification by written police reports furnished by the Resident.
8. **Broad Range of Income:** A range of income representative of all Low-and Very Low-Income Families in each of the PHA'S area of operation. The Broad Range of Income provides rent ranges in amounts that must be achieved to assure financial stability of the PHA and comply with the law requiring serving a cross section of Low- and Very Low-Income Families. This enables the PHA to avoid concentration of the most economically and socially deprived Families in any one or all of its complexes.
9. **Ceiling Rent:** A "cap" or maximum rent for higher income families to transition these families into the private market. The Section 8 FMR or 95 percentile may be used to establish Ceiling Rents for a Dwelling Unit.
10. **Child:** A member of the family, other than the family head or spouse, who is under 18 years of age, including foster-children.
11. **Child Care Expenses:** Child Care Expenses are amounts anticipated to be paid by the family for the care of children under thirteen (13) years

of age during the period for which Annual Income is computed, but only when such care is necessary to enable a family member to child care expenses which are necessary to permit a family member to **actively seek employment, be gainfully employed or to further his/her education** and only to the extent such amounts are not reimbursed. In the case of child care necessary to permit employment, the amount deducted must be verified and reflect reasonable charges and shall not exceed the amount of income received from such employment. The PHA will not normally determine child care expenses as necessary when the household contains an additional unemployed adult who is physically capable of caring for the child/children. An example of an exception may be an unemployed adult that is not capable of caring for a child because of some type of disability and/or handicap. The Head of Household must document the disability/handicap that prevents the adult from providing child care.

12. **Child Custody:** An Applicant/Resident family who does not have full custody of a child/children may only claim a child as a dependent by the following: (a) The Applicant/Resident must have primary custody of the child, or (b) The Applicant/Resident must provide sufficient evidence that if the Applicant were admitted to public housing the child would reside with the Applicant (NOTE: The same child cannot be claimed by more than one Applicant (i.e. counted more than once in order to make two (2) singles eligible)).

13. **Citizen:** A citizen or national of the United States.

14. **Complex for Elderly or Handicapped Families:** A complex or any building within a mixed-use complex that is designed for occupancy by the Elderly or Handicapped at its inception (and that has retained that characteristic), or although not so designated, for which the PHA given preference in Tenant Selection (with HUD approval) for all units in the complex (or a building with a mixed-use complex) to Elderly or Handicapped Families;

15. **Confined Family Member:** A household member who is confined to a nursing home, or hospital, on a long-term basis. In this situation, the PHA will remove the family member's name from the Dwelling Lease, exclude the income, and not take any deductions for the individual.

16. **Consent Form(s):** Form(s) approved by HUD to be signed by all applicants and participants for the purpose of obtaining employee income information from employers; wage and claim information from SWICAs; return information from the Social Security Administration (including wages, net earnings from self-employment; payments of retirement income as referenced at Section 6103(1)(7)(A) of the Internal Revenue Code (26 U.S.C. 6103)); and return information for unearned income (i.e. interest and dividends) from the Internal Revenue Service as referenced at Section 6103(1)(7)(B) (26 U.S.C. 6103). Also, the consent forms may authorize the collection of other information from Applicants or participants to determine eligibility or level of benefits as provided in 24 CFR 913.109. The consent form expires after a limited amount of time as specified on the form.

17. **Deductions:** Deductions and exemptions are limited to those as described herein.

18. **Dependent:** A member of the family household (excluding foster children) other than the Head of Household or Spouse, who is under eighteen (18) years of age, or is a person with a handicap or disability, or is a Full-Time Student and written verification is furnished the PHA of this status.

19. **Designated Housing:** A complex, or a portion of a complex (as these terms are defined in 945.105), that has been designated for occupancy by either Disabled Families, Elderly Families, or Disabled Families and Elderly Families, in accordance with the requirements of Part 945.

20. **Dilapidated Unit:** A dwelling unit that:

- (1) Does not provide safe and adequate shelter, and in its present condition endangers the health, safety or well-being of a Family, or
- (2) Has one or more critical defects, or a combination of intermediate defects in sufficient number or extent to require considerable repair or rebuilding. The defects may involve original construction, or they may result from continued neglect, lack of repair, or from serious damage to the structure.

21. **Disabled Family:** A Family whose Head (or Spouse), or whose sole member is a person with a disability. The term "Disabled Family" includes a person with a disability, two or more persons with disabilities living together, and one or more persons with disabilities living with one or more persons who are determined to be essential to the care or well-being of the person(s) with disabilities.

22. **Disabled Person/Disability:** A person under a disability as defined in Section 223, of the Social Security Act (42 U.S.C. 423) or in Section 102 of the Developmental Disabilities Services Facilities Construction Amendments of 1970 (42 U.S.C. 269(1)). A family whose head, spouse, or sole member is a person with disabilities.

(1) Section 223 of the Social Security Act defines disability as:

- a. Inability to engage in any substantial gainful activity by reason of any medically determinable physical or mental impairment which can be expected to result in death or which has lasted, or can be expected to last, for a continuous period of not less than twelve (12) months;
- b. In the case of an individual who has attained the age of fifty-five (55) and who is blind, inability by reason of such blindness to engage in substantial gainful activity requiring skills or abilities comparable to those of any gainful activity in which he or she has previously engaged with some regularity over a substantial period of time.

(2) Section 102 of the Developmental Disabilities Services Facilities Construction Amendments of 1970 defines disability as a disability attributable to mental retardation, cerebral palsy, epilepsy, or any other neurological condition of an individual found by the Secretary of Health and Human Services to be closely related to mental retardation or to require treatment similar to that required for mentally retarded individuals, which disability originates before such individual attains age eighteen (18), which has continued or can be expected to continue

indefinitely, and which constitutes a substantial handicap to such individual.

23. **Displaced Person:** A person or family displaced by Governmental action or whose dwelling has been extensively damaged or destroyed as a result of a disaster declared or otherwise formally recognized pursuant to Federal Disaster Relief Laws or a person or family who has been displaced by any act of nature, such as fire, tornado, flood, etc. Involuntary displacement for purposes of determining whether an applicant is entitled to priority for public housing admission under Federal law, an applicant is or will be involuntarily displaced if he/she has vacated or will have to vacate his/her housing unit as a result of one or more of the following actions:

- (1) A disaster, such as a fire or flood, that results in the applicant's unit being uninhabitable;
- (2) Activity carried on by an agency of the United States or by any State or Local Governmental body or agency in connection with a public improvement or development program; or
- (3) Action by a housing owner that results in an applicant having to vacate his/her dwelling, where:
 - a. The reason for the owner's action is beyond the applicant's ability to control or prevent;
 - b. The action occurs despite the applicant having met all previously imposed conditions of occupancy; and/or
 - c. The action taken is other than a rent increase.

For the purposes of this definition, reasons for an Applicant having to vacate a dwelling include, but are not limited to, conversion of an Applicant's dwelling to non-rental or non-residential use, closure of an Applicant's dwelling for rehabilitation or for any other reasons; notice to an Applicant that he/she must vacate a dwelling because the owner wants the dwelling for the owner's personal or family use or occupancy; sale of a dwelling in which an Applicant resides under an agreement that the unit must be vacant when possession is transferred; or some other legally authorized act that results, or will result, in the withdrawal by the owner of the dwelling from the rental market. Such reasons do not include the vacating of a dwelling by an Applicant as a result of actions taken because of the Applicant's refusal to comply with applicable program policies and procedures with respect to occupancy of underoccupied and overcrowded units or to accept a transfer to another dwelling in accordance with such policies and procedures under a desegregation plan approved by HUD.

An Applicant is also involuntarily displaced if the Applicant has vacated his/her housing unit as a result of actual or threatened physical violence directed against the Applicant's family by a spouse or other member of the Applicant's household; or the Applicant lives in a dwelling with such an individual who engages in such violence. For the purposes of this paragraph, the actual or threatened violence must, as determined by the PHA in accordance with HUD's administrative instructions, have occurred recently or be of a continuing nature. The Applicant must certify that the person who engaged in such violence will not reside with the Applicant's family unless the PHA has given advance written approval. If the family is admitted, the PHA may deny or terminate assistance to the family for breach of this certification if it occurs.

Displacement by Hate Crimes: An Applicant is involuntarily displaced if (a) one or more members of the Applicant's family have been the victims of one or more Hate Crimes; and (b) the Applicant has vacated a dwelling because of such crime, or the fear associated with such crime has destroyed the Applicant's peaceful enjoyment of the dwelling. "**Hate Crimes**" means actual or threatened physical violence or intimidation that is directed against a person or his/her property and that is based on the person's race, color, religion, sex, age, national origin, disability or familial status. The PHA must determine that the Hate Crime involved occurred recently or is of a continuing nature.

Displacement by inaccessibility of dwelling: An Applicant is Involuntarily Displaced if: (a) a member of the Family has a mobility or other impairment that makes the person unable to use critical elements of the dwelling; and (b) the owner is not legally obligated to make the changes to the dwelling that would make critical elements accessible to the disabled person as a reasonable accommodation.

In order to qualify for the preference based on involuntary displacement, a family must either have been involuntarily displaced as defined above and not living in "standard, permanent replacement housing", or it must be verifiable that the family will be involuntarily displaced within the next six (6) months.

24. **Domestic Violence:** Actual or threatened physical violence directed against one or more member(s) of the Applicant's family by a Spouse or other member of the applicant's household.

25. **Dwelling Unit:** A dwelling that is suitable for habitation.

26. **Elderly Family:** A family whose head or spouse (or sole member) is a person who is at least 62 years of age; or two or more persons who are at least 62 years of age living together; or one or more persons who are at least 62 years of age living with one or more live-in aides.

27. **Elderly Person:** A person who is at least sixty-two (62) years of age.

28. **Evidence of Citizenship or Eligible Immigration Status:** The documents which must be submitted to evidence citizenship or eligible immigration status (Reference CFR 5.508(b)).

29. **Familial Status:** Of, pertaining to, or characteristic of a family. A single pregnant woman and individuals in the process of obtaining custody of any individual who has not attained the age of 18 are processed for occupancy the same as single persons (Reference Federal Register published February 13, 1996, pages 5,662 and 5,663). In Section II "Reinventing Parts 812 and 912 of the Federal Register states:

"The April 10, 1992, proposed revisions to parts 812 and 912, which concern section 5(b) of the Fair Housing Amendments Act of 1988 (FHAA) and the treatment of single, pregnant women obtaining custody, are not included in this final rule. The statutory prohibition against housing discrimination towards such persons is sufficiently clear and enforceable. Since the percentage limit for occupancy by single persons (which could have been used to mask instances of discrimination against persons in these protected classes) has been eliminated, it is no longer necessary to distinguish persons in the FHAA-protected classes from other single persons."

Therefore, a single pregnant woman and individuals in the process of obtaining custody of any individual who has not attained the age of 18 years are processed for occupancy the same as a single person and only entitled to a one bedroom unit. Once the child is born and/or the custody is obtained, the family will qualify for a two (2) bedroom unit and authorized to transfer as outlined in the Transfer Policy herein. (Applicants under the age of 21 (unless married) will be required to submit proof of emancipation.

30. Family:

- (1) A group of two or more persons related by blood, marriage, operation of law or legal adoption who will live regularly together in the same dwelling (including a foster child(ren) and members of the family who are temporarily absent - (a family with or without children (the temporary absence of a child(ren) from the home due to placement in foster care shall not be considered in determining family composition and family size)). There must be some concept of family living beyond the mere sharing or intention to share housing accommodations by two or more persons to constitute them as a family within the meaning of this policy. Some recognized and acceptable basis of family relationship must exist as a condition of eligibility. By definition, a family must contain a competent adult of legal age (21 years of age or 18 years of age if proof of emancipation is presented or married) who is capable of functioning as the Head of Household. If an individual is 18 and qualifies under the definition of family by being married, the Head of Household AND the Spouse must both sign all required forms.
- (2) An Elderly Family;
- (3) A Near Elderly Family;
- (4) A Disabled Family or Person;
- (5) Single pregnant women with no children and who are 21 years of age or older (18 years of age if proof of emancipation is presented), provided, verification of active pregnancy is furnished from a physician;
- (6) A single person who is 21 years of age or older (18 years of age if proof of emancipation is presented) with no children, who has secured or is in the process of securing legal custody of an individual under the age of 18 years or other single person that are Near Elderly as defined in this policy;
- (7) A person necessarily residing with a family by reason of employment by, or for, such family: (a) to permit the employment of a sole wage earner, or (b) for the health and welfare of a sick or incapacitated member of the family, need not be considered as a member of the family for the purpose of determining (net) family income for eligibility or establishing the Total Tenant Payment. However, the necessity for such an arrangement must be evidenced by a doctor's certificate when health related reasons are given for the arrangement. In all cases, the presence of such a person must be determined essential and so certified and approved in advance by the PHA. Under no circumstances may such arrangements be either continued longer than necessary or permitted only for the convenience of the Resident or such employee. This provision is applicable both for Admission and Continued Occupancy and is not restricted to Elderly families;
- (8) For Continued Occupancy purposes only, the remaining member of a Resident family who meets all the requirements for Continued Occupancy.
- (9) *Housing assistance limitation for single persons:* A single person who is not an elderly or displaced person, or a person with a disability, or the remaining member of a tenant family may not be provided (for public housing and other project-based assistance) a housing unit with two (2) or more bedrooms (Ref. 982.207 Housing assistance limitation for single persons, CFR published on 2/13/96).

The above definition of "Family" does not exclude a person living alone during the temporary absence of a family member who will later live regularly as a part of the Family.

31. Family Income: Monthly Income, as defined in 24 CFR 913.102. (One-twelfth of Annual Income.)

32. Foster Child: A member of the household who is under 18 years of age, or is a Full-Time Student 18 or older, and who is being reared by anyone other than his/her mother, father or other blood relative. With the prior written consent of the PHA, a foster child may reside on the premises. The factors considered by the PHA in determining whether or not consent is granted may include (a) Whether the addition of a new occupant may require a transfer of the family to another unit, and whether such units are available; (b) The PHA's obligation to make reasonable accommodation(s) for handicapped persons.
33. Fraud: A violation of State and/or Federal Laws in which any person(s) obtains or establishes eligibility for, and any person(s) who knowingly/intentionally aids or abets such person(s) in obtaining or establishing eligibility for any PHA housing, or a reduction in PHA rental charges, or any rent subsidy or assistance, to which such person(s) would not otherwise be entitled, by means of a false statement, failure to disclose information, impersonation, or other fraudulent scheme or device.
34. Full-Time Student: A person who is carrying a subject load that is considered full-time for day students under the standards and practices of the educational institution attended. An educational institution includes a vocational school with a diploma or certificate program, as well as an institution offering a college degree. Written verification will be supplied by the attended educational institution.
35. Guest: A person in the leased Dwelling Unit with the consent of a household member. The length of stay for guests will be limited to ten (10) days. Prior written permission from management will be required for all guests. Guests will be prohibited from any criminal activity that threatens the health, safety, or right to peaceful enjoyment of the premises of other Residents or employees of the PHA, or any drug-related criminal activity on or near such premises.
36. Government Action: Activity carried on by an agency of the United States or by any State or Local Governmental body or agency in connection with code enforcement or a public improvement or development program.
37. Handicapped Assistance Expenses: Reasonable expenses that are anticipated, during the period for which annual income is computed, for attendant care and auxiliary apparatus for a Handicapped or Disabled Family member, and that are necessary to enable a Family member (including the Handicapped or Disabled member) to be employed, provided that the expenses are neither paid to a member of the family nor reimbursed by an outside source.

38. Handicapped Person: A person having a physical or mental impairment that (1) is expected to be of long continued and indefinite duration, (2) substantially impedes his/her ability to live independently, and (3) is of such a nature that such ability could be improved by more suitable housing conditions. ALL three (3) conditions must be met to qualify as handicapped. A person who is under a disability as defined in Section 223 of the Social Security Act (42U.S.C.423) or in Section 102(7) of the Developmental Disabilities Assistance and Bill of Rights Act (42 U.S.C. 6001(7)), or is handicapped as defined below:

- (a) Inability to engage in any substantial gainful activity by reason of any medically determinable physical or mental impairment which can be expected to result in death or which has lasted or can be expected to last for a continuous period of not less than twelve (12) months; or
- (b) In the case of any individual who has attained the age of fifty-five (55) and is blind (within the meaning of "blindness" as defined in Section 416(l)(1) of this title), inability by reason of such blindness to engage in substantial gainful activity requiring skills or abilities comparable to those of any gainful activity in which he has previously engaged with some regularity and over a substantial period of time.

Section 102(5) of the Developmental Disabilities Services and Facilities Construction Amendments of 1970 defines disability as:

"A disability attributable to mental retardation, cerebral palsy, epilepsy or another neurological condition of an individual found by the Secretary of Health and Human Resources to be closely related to mental retardation or to require treatment similar to that required for mentally retarded individuals, which disability originates before such individual attains age eighteen (18), which has continued or can be expected to continue indefinitely, and which constitutes a substantial handicap to such individual."

39. Hardship: Situation which is hard to bear or often beyond one's power of control due to family death, illness, or other circumstance(s) that cause considerable stress in the Applicant/Resident's current living situation as defined and outlined in the Quality Housing and Work Responsibility Act of 1998.

40. Hate Crime: Actual or threatened physical violence or intimidation that is directed against a person or his/her property and that is based on the person's race, color, religion, sex, national origin, handicap, or familial status.

41. Hazardous Duty Pay: Pay to a family member in the Armed Forces away from home and exposed to hostile fire.

42. Head of Household: The "Head of Household" is that member of the family group who is legally or morally responsible for supplying the needs of the family, normally considered to be the lessee, and is primarily responsible, and accountable, for the family, particularly in regard to lease obligations.

43. Homeless Family: Any individual or family who is considered to be living in substandard housing or:

- (1) Lacks a fixed, regular, and adequate nighttime residence, or
- (2) Has a primary nighttime residence that is:
 - a. A supervised publicly or privately operated shelter designed to provide temporary living accommodations (including welfare hotels, congregate shelters, and transitional housing for the mentally ill);
 - b. An institution that provides a temporary residence for individuals intended to be institutionalized; or
 - c. A public or private place not designed for, or ordinarily used as, regular sleeping accommodations for human beings.
- (3) A "Homeless Family" does NOT include:
 - a. Any individual imprisoned or otherwise detained pursuant to an Act of Congress or a State Law;
 - b. Any individual who is a Single Room Occupant (SRO) that is not considered substandard housing as defined in 24 CFR 960.214(b)(4).

44. Household Composition: All individuals who reside in a Dwelling as indicated on the Dwelling Lease.

45. Housing Assistance Limitation for Single Persons: A single person who is not an elderly or displaced person, or a person with disabilities, or the remaining member of a Resident may not be provided:

- (1) For public housing and other project-based assistance, a housing unit with two (2) or more bedrooms; or
- (2) For tenant-based assistance, housing assistance for which the family unit size exceeds the one (1) bedroom level.

46. HUD Disposition: Displacement because of disposition of a multifamily rental housing complex by HUD under Section 203 of the Housing and Community Development Amendments of 1978.

47. Inaccessibility: A member of a family has a mobility or other impairment that makes the person unable to use critical elements of the Dwelling; and the owner is not legally obligated to make the changes to the dwelling that would make critical elements accessible to the disabled person as a reasonable accommodation.

48. Income Exclusion: Annual Income does not include temporary, non-recurring or sporadic income as defined herein.

49. Income for Eligibility: For the purpose of determining eligibility for Admission and for statistical reporting means of "Annual Income".

50. Income for Rent: For the purpose of determining rents and for statistical reporting means Annual Adjusted Income; except that Annual Income is to be used in determining the ten (10) percent rent.

51. Income Limits: Very Low-Income and Low-Income limits established by HUD that are used to determine if assisted housing program applicants qualify for admission to HUD-assisted programs. These income limits are based on HUD estimates for area median family income (using Metropolitan Statistical Areas or Primary Metropolitan Statistical Areas as defined by the Office of Management and Budget (OMB)), and the Bureau of the Census definition of Family with specific statutorily permissible adjustments. If the income limits based on this approach would be

less than if based on the relevant State non-metropolitan median family income level, income limits are based on the State non-metropolitan family income level.

52. **Income Ranges:** Income ranges are defined as the incomes of all low-income families in each of this PHA's areas of operation. The Income Ranges provide rent ranges in amounts that must be achieved to assure financial solvency of this PHA and comply with the law requiring serving a cross section of low-income families. Selection of a cross section of low-income families will be made in order to produce these ranges insofar as the PHA is able to do so and remain in full compliance with the SELECTION OF APPLICANTS FOR ADMISSION section herein.
53. **Ineligible:** When a person does not meet all required qualifications to be chosen for admission or continued occupancy.
54. **Infant:** A child under the age of two (2) years.
55. **INS:** The U. S. Immigration and Naturalization Service.
56. **Interim Reexamination:** Between annual reexaminations, the family must comply with provisions in its Dwelling Lease regarding interim reporting of changes in income and/or family composition at which time the PHA verifies the information and makes appropriate adjustments.
57. **Involuntary Displacement:** Refer to Section regarding "**Displaced Person**".
58. **Large Family:** A family which includes six (6) or more minors (other than Head of Household or Spouse).
59. **Live-In Aide:** A person who resides with an Elderly or Disabled person(s) and who (1) is determined by the PHA to be essential to the care and well-being of the person(s); (2) Is not obligated for support of the person(s); and (3) Would not be living in the dwelling except to provide necessary supportive services (See 913.106(c) for treatment of a Live-In Aide's income). (NOTE: A Live-In Aide must be approved **in writing** in advance, by the PHA and meet eligibility requirements for public housing occupancy.)
60. **Local Preference:** Any allowable preference a PHA may desire to be part of its Tenant Selection Criteria.
61. **Lower Income Family:** A Family whose Annual Income does not exceed 80% of the median income for the area, as determined by HUD with adjustments for smaller and larger families. HUD may establish income limits higher or lower than 80% of the median income for the area on the basis of its finding that such variations are necessary because of the prevailing levels of construction costs or unusually high or low Family Income.
62. **Medical Expenses:** Those necessary medical expenses, including medical insurance premiums, that are anticipated during the period for which Annual Income is computed, and that are not covered by insurance. Medical expenses may include services of doctors and health care facilities, medical insurance premiums, prescription and nonprescription medicines, transportation to treatment, dental expenses, eyeglasses, hearing aids, batteries, live-in or periodic medical assistance, monthly payment on accumulated medical bills, and medical care of a permanently institutionalized family member IF his/her income is included in annual income. Medical expenses in excess of 3% of annual income is permitted as a deduction **ONLY** for households in which the Head of Household or Spouse is at least 62, handicapped or disabled.
63. **Military Service:** The active military service of the United States, which includes the Army, Navy, Air Force, Marine Corps, Coast Guard and since July 29, 1945, the Commissioned Corps of the United States Public Health Services.
64. **Minimum Rent:** Families assisted under the Public Housing program pay a monthly "Minimum Rent". The PHA has the discretion to establish the Minimum Rent up to \$50.00. The minimum rent established by this PHA is \$50.00.
65. **Minor:** A Minor is a person less than eighteen (18) years of age. (An unborn child may not be counted as a minor but is counted for eligibility of a single, pregnant female.) A married person eighteen (18) years of age or older shall be considered to be of the age of majority.
66. **Mixed Family:** A family whose members include those with citizenship or eligible immigration status, and those without citizenship or eligible immigration status.
67. **Monthly Adjusted Income:** One twelfth (1/12) of Adjusted Income.
68. **Monthly Income:** One twelfth (1/12) of Annual Income. For purpose of determining priorities based on an Applicant's rent as a percentage of income, family income is the same as monthly income.
69. **National:** A person who owes permanent allegiance to the United States, for example, as a result of birth in a U.S. territory or possession.
70. **Natural Disaster:** An act of nature such as flooding, hurricane, tornado, earthquake, lightning fires, etc.
71. **Near-Elderly Family:** A Family whose Head of Household (or Spouse), or whose sole members are Near-Elderly persons. The term "Near-Elderly Families" includes two or more Near-Elderly Persons living together, and one or more Near-Elderly Person living with one or more persons who are determined to be essential to the care or well-being of the Near-Elderly Person(s).
72. **Near-Elderly Person:** An individual who is at least 50 years of age but below the age of 62.
73. **Net Family Assets:** Net cash value after deducting reasonable costs that would be incurred in disposing of real property, savings and checking

accounts, stocks, bonds, cash on hand, and other forms of capital investments, excluding interest in Indian trust land, excluding equity accounts in HUD homeownership programs. The value of necessary items of personal property such as furniture and automobiles shall be excluded. (In cases where a trust fund has been established and the trust is not revocable by or under the control of, any member of the Family or household, the value of the trust fund will not be considered as an asset so long as the fund continues to be held in trust. Any income distributed from the trust fund shall be counted when determining Annual Income.) In determining Net Family Assets, this PHA shall include the value of any business or family assets disposed of by an Applicant or Resident for less than fair market value (including a disposition in trust, but not in a foreclosure or bankruptcy sale) during the two (2) years preceding the date of application for the program or reexamination, as applicable, in excess of the consideration received thereof. In the case of a disposition (as part of a separation or divorce settlement), the disposition will not be considered to be for less than fair market value if the Applicant or Resident received important consideration not measurable in dollar terms.

74. Noncitizen: A person who is neither a citizen nor national of the United States.

75. Overcrowded: Two or more families residing at one address who are related by blood, marriage, adoption or court custody resulting in the following situations:

- (1) An entire family is sleeping in one room not large enough to allow a bed, sofa/couch, chair, or cot for all members of that family. (A family would consist of one (or both) parent(s) and their children (including court ordered custody and/or foster children).
- (2) A Resident that does not have adequate sleeping areas for members of each family living there. (A sleeping area does not have to be a bedroom - a living/family room/den can be considered a sleeping area in which a sofa/couch or chair can be used for sleeping and cots can be set up.)
- (3) Code enforcement activities citing overcrowded conditions wherein the family has been cited in writing by a code enforcement official to vacate the premises.

76. Person with Disabilities: A person who:

- (1) Has a disability as defined in Section 223 of the Social Security Act (42 U.S.C. 423);
- (2) Is determined, pursuant to regulations issued by the Secretary, to have a physical, mental, or emotional impairment which:
 - a. Is expected to be long-continued and indefinite duration;
 - b. Substantially impedes his/her ability to live independently; and
 - c. Is of such a nature that such ability could be improved by more suitable housing conditions; or
- (3) Has a developmental disability as defined in Section 102 of the Developmental Disabilities Assistance and Bill of Rights Act (42 U.S.C.6001(5)).

77. Profit-Making Activities: Legal profit-making activities conducted in the Dwelling Unit if Management determines that such activities are incidental to the lawful primary use of the leased unit for residence by members of the household, and provided such activities do not violate Management's policies concerning profit-making activities.

78. Public Housing Agency (PHA): Any State, County, Municipality or other government entity or public body (or agency or instrumentality thereof) that is authorized to engage in or assist in the development or operation of housing for lower income families.

79. Ranking Preference: A preference established by the PHA for use in selecting applicants.

80. Reexamination (also referred to as Recertification): The process of securing documentation to show that Residents meet the eligibility requirements for Continued Occupancy and to determine rent and other matters. Types of reexamination include: (1) Annual or Regular; (2) Interim, and (3) Special.

81. Reexamination Date: The date on which any rent change is effective, or would be effective, if required as a result of the annual reexamination of eligibility and rent. The reexamination date of this PHA is July 1.

82. Regular Reexamination: The PHA reexamines the household income and family composition of all Resident families annually according to the Dwelling Lease. After consultation with the Family, and upon verification of the information, the PHA must make any appropriate adjustments as necessary.

83. Remaining Member of a Family: The person(s) of legal age remaining in the dwelling unit after the person(s) who signed the Dwelling Lease has/ have left the premises, other than by eviction, who may or may not normally qualify for assistance on their own circumstances. An individual must occupy the public housing unit to which he/she claims head of household status for one (1) year before becoming eligible for subsidized housing as a remaining family member. This person must complete forms necessary for housing within ten (10) days from the departure of the leaseholder and may remain in the unit for a reasonable time pending the verification and grievance process. This person must, upon satisfactory completion of the verification process, then execute a new Dwelling Lease and cure any monetary obligations in order to remain in the unit.

Any person who claims him/herself as a remaining member shall, in the event that the PHA declares him/her ineligible for remaining member status, be entitled to the grievance process upon notice to him/her that he/she is not considered to be a remaining member of the household. This grievance process must be requested in writing within ten (10) days from the date of the departure of the head of household by the person requesting remaining member status. In the interim time between the time of the request for the grievance process and the decision by the hearing officer, all rent which was due pursuant to the Dwelling Lease, shall be deposited into an escrow account with the PHA under the same provisions as those relating to Residents requesting a grievance hearing relating to rent under the grievance process. The PHA does not recognize the person as a Resident by giving

him/her the opportunity for a grievance hearing. A remaining member shall not be considered to be a Resident until such time as a new Dwelling Lease is executed by the PHA and the person granted Resident status after the verification status.

84. Rent: For purposes of this section, rent is defined as:

- (1) The actual amount due, calculated on a monthly basis, under a Dwelling Lease or Occupancy Agreement between a family and the family's current landlord; and
- (2) In the case of utilities purchased directly from utility providers;
 - a. The PHA's reasonable estimate of tenant-purchased utilities (except telephone and cable) and the other housing services that are normally included in rent; or
 - b. If the family chooses, the average monthly payments that it actually makes for these utilities and services for the most recent 12-month period or, if information is not obtainable for the entire period, for an appropriate recent period;
 - c. For purposes of calculating rent under paragraph 1 above, amounts paid to or on behalf of a family under any energy assistance program must be subtracted from the otherwise applicable rental amount to the extent that they are not included in the family's income;
 - d. In the case of an Applicant who owns a manufactured home, but who rents the space upon which it is located, rent under paragraph 1 includes the monthly payment to amortize the purchase price of the home, as calculated in accordance with HUD's requirements;
 - e. In the case of members of a cooperative, rent under paragraph 1 means the charges under the occupancy agreement between the members of the cooperative.

85. Rent Burden: An encumbrance by an Applicant who is paying more than 50% of family income for rent.

86. Repayment Policy: When families are assessed substantial charges for retroactive rents, maintenance and/or damage charges, it is often necessary to enter into a formal reasonable Repayment Agreement with those families in an effort to collect monies owed this PHA by present and former Residents. Residents in occupancy who fail to abide by the terms of the Repayment Agreement are referred to Justice Court for collection of the full amount owed and/or eviction. Vacated Residents who become delinquent on a Repayment Agreement are traced through Social Security numbers for possible employment and collection pursued by garnishment of wages.

87. Reprisal: When family members provide information on criminal activities to a law enforcement agency; and based on a threat assessment, a law enforcement agency recommends rehousing the family to avoid or minimize a risk of violence against family members.

88. Residency Preference: A preference for admission of families living in the jurisdiction of the PHA. It may be adopted as a ranking or a local preference provided that it does not unlawfully discriminate.

89. Secretary: The Secretary of the U. S. Department of Housing and Urban Development.

90. Separation: The ending of co-habitation by mutual agreement. If an Applicant/Resident is divorced* or separated and has or has no children by that spouse, Applicant/Residence must provide at least one of the verifications listed below: (Child support and/or TANF refers to Applicants/Residents who do have children):

- (1) A FINAL divorce decree. *(Applies to individuals who are divorced and are not separated and is the only documentation accepted for individuals that are divorced);
- (2) Receiving court-ordered child support from former spouse;
- (3) Verification that Applicant/Resident is pursuing child support through U. S. Department of Human Resources, Child Support Unit or Circuit Clerk's Office;
- (4) If Applicant/Resident is receiving personal child support, then Applicant/Resident can make arrangements to have the child support paid through the court system, either through the Circuit Clerk's Office, U. S. Department of Human Resources, or through a court referee;
- (5) Receiving TANF (Temporary Assistance to Needy Families) through the U. S. Department of Human Resources for former spouse's children;
- (6) A notarized statement from Applicant's current landlord (not family) verifying that the current landlord knows that the Applicant and spouse have not lived together for the last six (6) months or more;
- (7) Income tax statements from both husband and wife indicating both filed income taxes separately the last year and that they filed from different addresses;
- (8) (a) Written statement from Attorney that applicant has filed suit for divorce because of physical abuse, agencies, social services agencies;
(b) Written statement from an abuse shelter, law enforcement agency, social service agencies that applicant needs housing due to physical abuse.
(c) In both of the above (a) and (b), Applicant will also be required to sign a statement to the effect that the separated person will not be permitted in the Resident's dwelling or on the Resident's property because of the physical abuse situation. Also, the person involved with physical abuse will be banned from all PHA property as long as the Applicant lives in assisted housing within the PHA property.
- (9) Food Stamp verification - If no other documentation is available.

91. Single Person: A person who lives alone or intends to live alone, and who does not qualify as an Elderly, Disabled, or Handicapped Family, displaced person, or as the remaining member of a tenant Family. A single person must be admitted according to 24 CFR 912.3.

92. Single Room Occupancy (SRO): A unit which contains no sanitary facilities or food preparation facilities, or which contains one, but not both, types of facilities and which is suitable for occupancy by a single eligible individual capable of independent living.

93. Special Reexamination: A reexamination conducted if at the time of admission or regular reexamination, it is not possible to make an estimate of the net family income for the ensuing 12 month period with any reasonable degree of accuracy.

94. Spouse: The legal husband or wife of the Head of Household.
95. Standard Permanent Replacement Housing: Housing that is:
- (1) Decent, safe, and sanitary;
 - (2) Adequate for the family size;
 - (3) Occupied by the family pursuant to a lease or occupancy agreement, and;
 - (4) Does not include transient facilities such as motels, hotels or temporary shelters for victims of domestic violence or homeless families, or in the case of domestic violence, it does not include the housing unit in which the applicant and the applicant's spouse or other member(s) of the household who engages in such violence live.
96. State: Any of the several States of the United States of America, the District of Columbia, the Commonwealth of Puerto Rico, the territories and possessions of the United States, the Trust Territory of the Pacific Islands, and Indian tribes.
97. Substandard Housing: A housing unit that fails to meet the requirements of the Housing Quality Standards. Furthermore, a unit is substandard if it:
- (1) Is dilapidated;
 - (2) Does not have operable indoor plumbing;
 - (3) Does not have a usable flush toilet inside the dwelling for exclusive use of a family;
 - (4) Does not have a usable bathtub or shower inside the dwelling for the exclusive use of a family;
 - (5) Does not have electricity or has inadequate or unsafe electrical service;
 - (6) Does not have a safe or adequate source of heat;
 - (7) Does not have a kitchen;
 - (8) Has been declared unfit for habitation by an agency or unit of government;
 - (9) Has one or more critical defects, or a combination of intermediate defects in sufficient number or extent to require considerable repair or rebuilding. The defects may involve original construction, or they may result from continued neglect or repair or from serious damage to the structure;
 - (10) An applicant that is a "Homeless Family" is considered to be living in substandard housing, however, a "Homeless Family" does NOT include any person imprisoned or otherwise detained pursuant to an Act of Congress or a State or tribal law.
98. Temporary Absent Family Member(s): A person(s) on the Dwelling Lease who is not living in the household for a period of not more than thirty (30) days is considered temporarily absent.
99. Temporary Rent: On occasions, the PHA is required to compute rent based on information that is supplied by the Resident and third party information that has not or will not be provided by the employer. When this situation occurs, the PHA will compute a temporary rent based on the information available. Once the information is verified the Resident will be notified in writing. If an underpayment was made based on the information provided the Resident will have fourteen (14) days from the date of the PHA notification to pay the amount specified. If the Resident has made an overpayment, that amount will be credited to the Resident's account. The Head of Household and Spouse (when applicable) and a PHA representative will sign this Notice of Temporary Rent and it will be filed in the Resident's file in the Administrative Office. A copy of this notice will also be given to the Resident.
100. Tenant Rent: The amount payable monthly by the Family as rent to the PHA. Where all utilities (except telephone and cable) and other essential housing services are supplied by the PHA, Tenant Rent equals Total Tenant Payment. Where some or all utilities (except telephone and cable) and other essentials are not supplied by the PHA and the cost thereof is not included in the amount paid as rent, Tenant Rent equals Total Tenant Payment less the Utility Allowance. (Tenant Rent is a term established and defined by 24 CFR (Part 913) and as such is occasionally awkward in ordinary usage. For this reason, the term "Tenant Rent" is used interchangeably with "rent" elsewhere in this policy to refer to the net monthly payment by the family to the PHA. The only exception is the term "Rent" as defined in this policy in reference to Admission Priorities based on an Applicant's rent as a percentage of monthly income. NOTE: *The monthly rent that is payable by the Resident must be paid in full - no partial payments will be accepted, except when rent is over \$300.00 in which case the rent is divided into four (4) even payments due on the first thru fourth Mondays of the month.*)
101. Total Tenant Payment: Total Tenant Payment (TTP) is the monthly amount calculated under 24 CFR 913.107. Total Tenant Payment does not include charges for excess utility consumption or other miscellaneous charges. Total Tenant Payment for families shall be the highest of the following:
- (1) 10% of Monthly Income; or
 - (2) 30% of Monthly Adjusted Income; or
 - (3) If the Family received Welfare Assistance from a Public Agency and a part of such payments, adjusted in accordance with the Family's actual housing costs, is specifically designated by such Agency to meet the Family's housing costs, the monthly portion of such payments are so designated. If the Family's Welfare Assistance is ratably reduced from the standard of need by applying a percentage, the amount calculated under this paragraph shall be the amount resulting from one application of the percentage.
102. Unreported Income: If a Resident fails to report income, the tenancy is subject to termination under the terms of the PHA Dwelling Lease. The Resident will be obligated to pay the applicable portion of the rent for any and all unreported income immediately upon notification. If the payment can not be made in one payment, the Resident will be required to sign a Repayment Agreement. A Repayment Agreement must be in writing and in accordance with the Repayment Plan of the PHA. The Resident and a PHA representative must both sign the Repayment Agreement. For repeated offenses, the tenancy will be terminated and the case turned over to the appropriate authority for prosecution for

fraud.

103. Utilities: Water, electricity, gas, garbage/rubbish collection, and sewage service. Telephone and television service (cable) is not included as a utility.
104. Utility Allowance: If the cost of utilities (except telephone and cable) and other housing services for an assisted unit is not included in the Tenant Rent but is the responsibility of the Family occupying the unit, an amount equal to the estimate made or approved by a PHA or HUD, under 24 CFR Part 965, of the monthly cost of a reasonable consumption of such utilities and other services for the unit by the energy-conservative household of modest circumstances consistent with the requirements of a safe, sanitary, and healthful living environment.
105. Utility Reimbursement: The amount, if any, by which the Utility Allowance for the unit, if applicable, exceeds the Total Tenant Payment for the family occupying the unit.
106. Very Low-Income Family: A Family whose Annual Income does not exceed 50% of the median income for the area, as determined by HUD, with adjustments for smaller and larger families. HUD may establish income limits higher or lower than 50% of the median income for the area on the basis of its finding that such variations are necessary because of unusually high or low Family income.
107. Veteran: One who has served in the Armed Forces or Military Service.
108. Wage Earner: A person in a gainful activity who receives any wages. Said wages or pay covers all types of employee compensation including salaries, vacation allowances, tips, bonuses, commissions and unemployment compensation. The term "Wage Earner" and "Worker" are used interchangeably.
109. Waiting List: A list of names of Applicants who have applied for housing at the PHA.
110. Welfare Assistance: Welfare or other payments to families or individuals, based on need, that are made under programs funded, separately or jointly, by Federal, State, or local governments.
111. Working Family: A family whose head or spouse is gainfully employed and who has a source of income that is earned from working/employment, or income received as a result of employment, including but not limited to: workmen's compensation, unemployment, sick or annual leave.

XVIII. TENANT SELECTION AND ASSIGNMENT PLAN:

Equal Opportunity: The Fair Housing Act makes it illegal to discriminate on the basis of race, color, religion, sex, handicap, age, familial status and national origin. This PHA shall not deny to any family the opportunity of applying for admission, nor shall it deny to any eligible applicant, the opportunity of applying for admission nor shall it deny to any eligible applicant the opportunity of leasing or renting a dwelling suitable to its need in any low-rent complex operated by this PHA.

Selection Process: Residents shall be selected from among eligible Applicant families whose family composition is appropriate to available Dwelling Units. The PHA will take into consideration the needs of individual families for low rent housing and the statutory purpose in developing and operating a socially and financially sound low-income housing complex, which provides a decent home and a suitable living environment and fosters economic and social diversity in the Resident body as a whole. Selection will be made in such a manner as:

- a. To avoid concentrations of the most economic and socially deprived families in one or all of the projects operated by the PHA;
- b. To maintain a Resident body in each complex composed of families with a broad range of income and rent paying ability which is generally representative of the range of incomes of low income families in the PHA's area of operation as defined by State Law.

Order of Selection: Applications will be filed in the following hierarchical order:

- a. Unit size/type needed by Applicants;
- b. Preference of Applicants;
- c. Date and time of application;
- d. Deconcentration and Income Mix Targeting.

An Applicant can reject an offer one (1) time before losing their place on the waiting list. If an Applicant rejects the first offer, the Applicant will be notified at that time that due to the fact they refused the offer of assistance, the date and time of his/her application is being changed to the date and time that they refused the offer.

Verification of Preference (Timing): At the time of application, initial determinations of an Applicant's entitlement to a preference may be made on the basis of an Applicant's certification of his/her qualification for that preference. Before selection is made, this qualification must be verified.

XIV. COMPLIANCE WITH EQUAL OPPORTUNITY REQUIREMENTS FOR POSTING REQUIRED INFORMATION

There shall be maintained in the PHA's office a bulletin board which will accommodate the following posted materials:

1. State of Policies and Procedures Governing Admission and Continued Occupancy Policy (ACOP) which also contains the PHA's Tenant Selection and Assignment Plan;

2. Open Occupancy Notice (Application being Accepted and/or Not Accepted);
3. Directory of Housing Complexes including names, addresses of complex offices, number of units by bedroom size, and office hours of PHA facilities;
4. Income Limits for admission;
5. Utility Allowances;
6. Current Schedule of Routine Maintenance Charges;
7. Dwelling Lease;
8. Grievance Procedure;
9. Fair Housing Poster;
10. "Equal Opportunity in Employment" Poster;
11. Any current "Resident Notices";
12. Security Deposit Charges;
13. Rent Ranges (if applicable);
14. Transfer Policy.

XXVI. ADDITIONAL PHA POLICIES AND CHARGES:

Additional policies and charges are attached to the end of this document and are incorporated as if fully set out herein. These policies and charges may be changed from time to time, or amended, and such changes or amendments shall be substituted in this document so as to keep this policy current. All items substituted within this document shall be kept by the Canton Housing Authority in a separate file for historical and research purposes.

This policy becomes effective immediately upon adoption by the Board of Commissioners of the Housing Authority of the City of Canton, Mississippi.

Adopted by the Board of Commissioners of the Housing Authority of the City of Canton, Mississippi, on

_____ by Resolution Number _____